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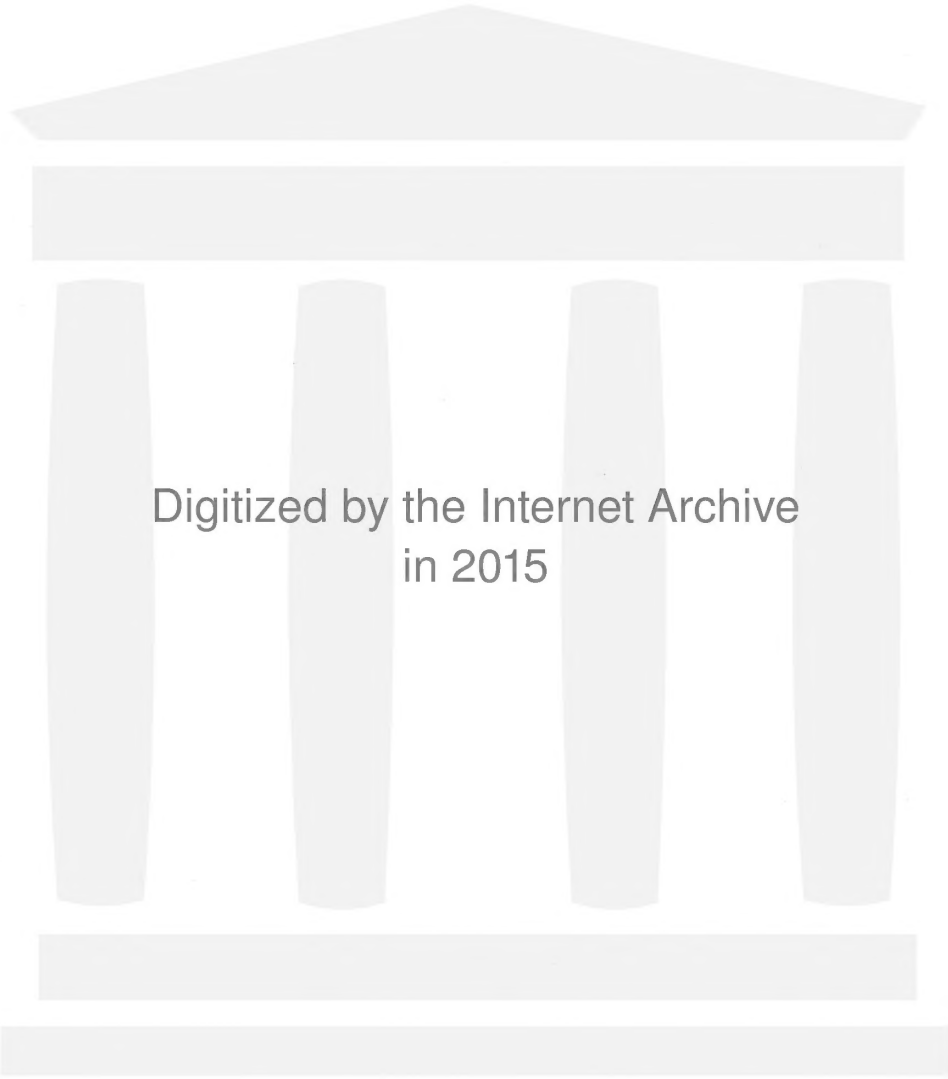
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THE
EMPIRE STATE
IN
THREE CENTURIES

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V. I.
VOLUME I

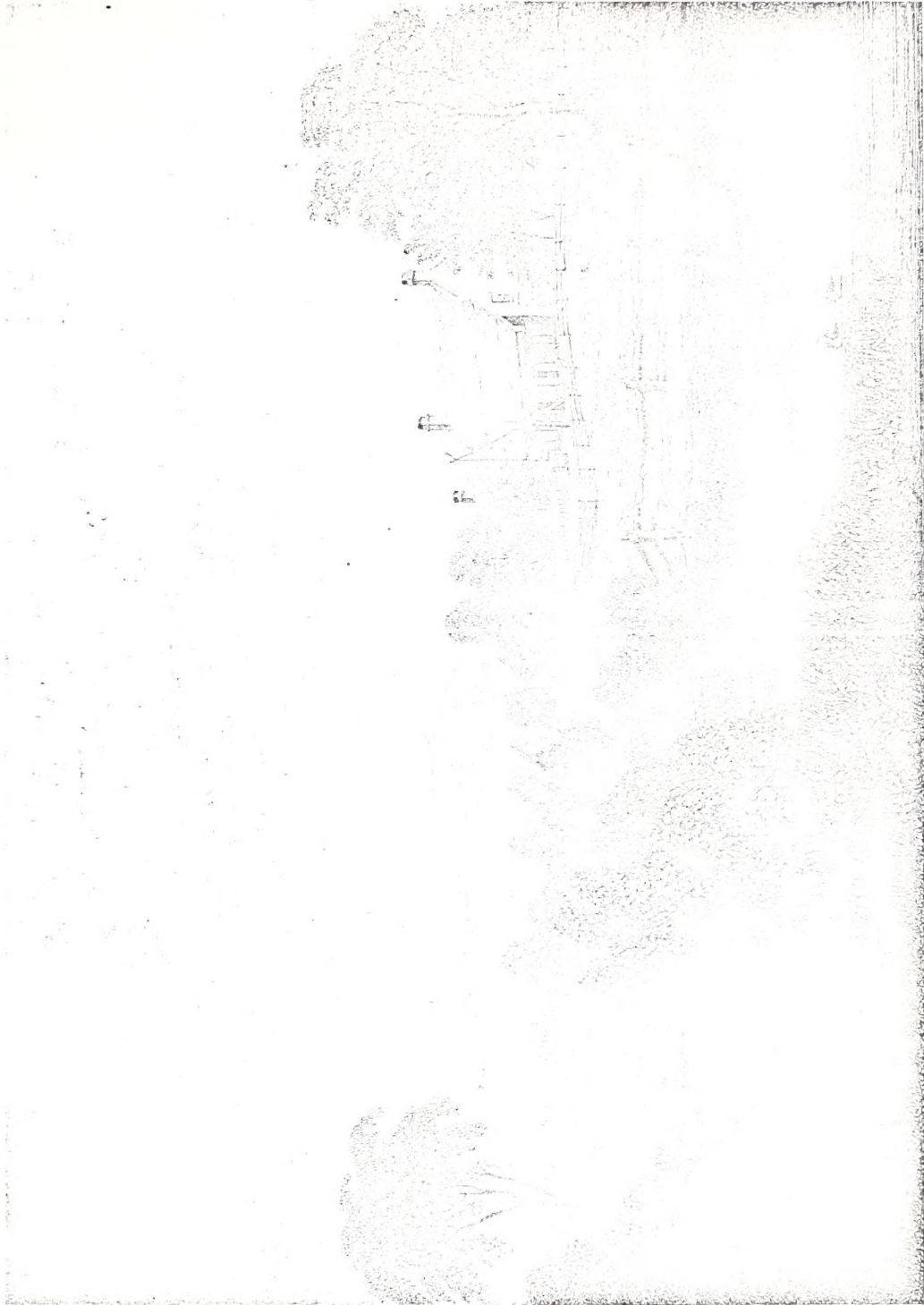
A NARRATIVE OF EVENTS
BY
DANIEL VAN PELT

THE CENTURY HISTORY COMPANY
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HEADQUARTERS OF GEN. WAINWRIGHT AT TATAN.

THE HOUSE IN WHICH THE AMERICAN WAS HELD.

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PREFACE.



N writing these pages the author has had in view the aim to please and satisfy, not antiquarians or specialists in historic lore, but busy men in all trades, pursuits, and professions, who have an interest and pride in their State, and wish to have in their hands a story of its annals in readable form. Thus the facts and events most worth knowing have been selected, and grouped in such a way as best to hold the attention and impress the memory.

We have attempted to equalize the treatment of every part of the State, and not to make prominent any one portion at the expense of the others. Still some may complain that too much "history" has been made of the territory "below the Harlem River." It will have to be conceded, however, by these critics, that, as population by civilized men first occurred in this vicinity, naturally earlier times would find events for record to be happening mainly there. Before the wilderness of middle, northern, and western New York was peopled by the whites, not much can be discovered that will "point a moral or adorn a tale."

Just before we went to press, appeared Prof. John Fiske's two volumes on "The Dutch and Quaker Colonies." We were startled to read in his pages a circumstantial account of a French fort, or village, or city, called Norumbega, on the tongue of land jutting out into the now non-existent Collect Pond, on Manhattan Island. It seemed at first as if we would have to rewrite one of our chapters. But as we read this passage with greater care, we came to the conclusion that the argumentation

was more ingenious and fascinating (as are all Professor Fiske's writings) than convincing. He builds his argument with too much confidence on the maps of ancient explorers. The bewildering and amazing inaccuracies of these maps, even under Professor Fiske's handling, with a little touch of special pleading in it, do not furnish a sufficient argument for setting aside what seems to be a hard fact—that Henry Hudson was the first European explorer to sail up the river named after him, and to set his eyes on the beautiful island called Mannahatta by the Indians, and Manhattan by the Dutch and English.

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CHAPTER I.

THE BEGINNINGS OF EMPIRE.



MONG the members of the Union constituting the Republic of the United States of America, the title of Empire State has long been accorded to New York. Perhaps it can be traced to no less a source than the hand of Washington himself, when, acknowledging the receipt of the Freedom of New York City, in December, 1784, he alluded to our State as "at present the seat of the Empire."

No longer the political center as in the days of the Continental Congress and the beginning of Federal Government, she has attained Empire in another sense, which the accidents and intrigues of politics can never take away from her. Yet though she leads the Union to-day in population, in wealth, in commerce, perhaps, also, in manufactures and industries of many sorts, her people can not claim all the credit of this circumstance for themselves. It is due, also, largely to circumstances over which they had no control. They simply found a matchless combination of natural features of immense benefit to them, if disposed to improve them diligently.

The situation of her metropolis at the mouth of the Hudson was not more favorable to its becoming the Queen of American Commerce than the entire configuration of the interior of the State was calculated to give later populations a great advantage in the race for commercial and industrial supremacy upon which the Thirteen Colonies started when they had become independent States, and had begun to bid for the business of the world as

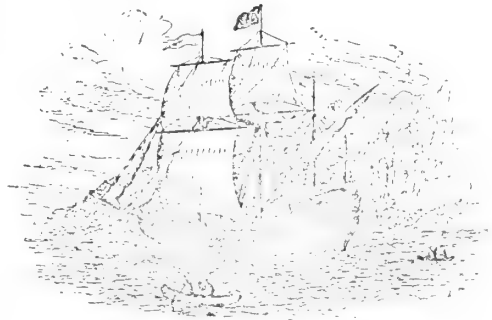
one of the family of nations. Her many great rivers, flowing in every direction, attended by convenient valleys, and making passageways through mountain ranges, otherwise forbidding or insurmountable, have always made New York the natural, inviting, inevitable highway of traffic between the North and the South, between the farther West and the seabordering East, at every stage in the evolution of trade, from the rudest forms of it in primitive days to the highly complicated character and vast volume it has assumed in our day of steam and electricity.

It has become abundantly manifest by the event that Empire in the sense of supremacy over her sister States, in many particulars attaches to New York. It is interesting, therefore, to note also the curious promise of precedence that may be read in the records of periods far antedating human history. In the dim regions of a geologic past, incalculably distant, we behold the territory of New York rising to the surface of the almost universal waters, to become "land" as distinguished from "sea," before that of any other portion of the Union. This constitutes the rocks of New York, as some one has aptly said, "the Old Testament of geology," at least on this side of the Atlantic.

When Azoic Time, with its lifeless, or perhaps only comparatively lifeless, rocks had passed away, and Paleozoic Time began to write its records of ancient and vanished forms of life in layers of stone, the most primitive forms of all made up the Silurian Age, or Age of Mollusks, and the Devonian Age, or Age of Fishes. Beginning at a distance in time whose figures would make us dizzy, the lowest (or earliest) American division of the Silurian Age is called the "Potsdam Period," because the sandstone rocks found at Potsdam, in St. Lawrence County, are traced to that early date in the earth's history. So other divisions in primordial age are the Trenton Period, named so after the rocks about Trenton Falls, north of Utica; the Hudson Period, unmistakably derived from a New York locality; as is also the Niagara Period, whose rocks have been revealed to the eye by the erosions of the magnificent cataract.

The rocks of the next period, the Salina, are those of the salt-bearing beds of Central New York, near Syracuse; while the latest division of this long ago age, the Lower Helderberg Period, reveals its rocks in the Helderberg Mountains, not far south of Albany. As we go up the scale of time through the next later or Devonian Age, we come across the names of Oriskany, famous in Revolutionary annals, and of the "Scholarie grit" in the Corniferous Period; Hamilton, Chemung, and Catskill Periods again remind us of well known localities within the borders of the Empire State, where rocks tell the story of the building up of the continent.

And what is the story these names tell? What is the meaning of this nomenclature in geology? As we read these names we seem to see the huge continent lying beneath the circum-incumbent ocean, lifting its Titanic shoulder above the watery surface. A little farther northward, where now we call the country Canada, even



THE "HALF-MOON."

Azoic time had not been able to suppress the rising land. The nucleus of North America must be traced here. But when Life Time first succeeded Lifeless Time, a point of the Republic near the St. Lawrence came also to the surface near Potsdam.

The good work begun extended southward toward Utica, then westward to the upper Hudson; next as a pioneer toward the western horizon arose a bit of New York along the Niagara, followed up by the intervening territory around in the neighborhood of the salty lake near Syracuse, and with an excursion toward the high ground below Albany at the end of the Silurian Age. The Devonian Age saw still more complete resurrections from the sea for New York State, until the Catskill Mountains

had poked their lofty promontories above the water, and at the close of the Age of Fishes the portion of the State above the Highlands of the Hudson had pretty nearly emerged as permanent land. The bursting of the Highlands barrier, and the flow of the Hudson to the ocean as now, came later. "The raising of New York State out of water, at the close of the Devonian," remarks Professor Dana, "suggests that from that time the Hudson Valley was a stream of fresh water."

The valley itself, and its continuation north as the Champlain Valley, date from the close of the lower Silurian. One more age intervened before we pass from the Paleozoic or Old-life Time, to the Mesozoic or Middle-life Time, and during this the Palisades along the lower Hudson were shot up as molten fire-rocks through the layers of deposited or sand-rocks. Then when the Cenozoic or New-life Time had finally come, and animals, somewhat more like such as we know them now, and men, had come upon the scene, in the earliest or Glacial Epoch of this Time, it is supposed the action of the moving glaciers opened a way for the great fresh-water lake of the Hudson and Champlain valleys through the Highlands, changing the lake into a narrower, flowing river, holding a majestic course past the Palisades to the southward sea.

Now, when was all this? Shall we compute the years and centuries? What will be the good of it. We shall neither be able to comprehend nor to remember. Take the quite recent Glacial Epoch when our noble Hudson became the delight which it now is to admiring tourists. Astronomical experts, putting their heads together with masters of geology, tell us that "the Glacial Epoch was coincident with the last period of high eccentricity of the earth's orbit." Now astronomy has the data for measuring time, and it says that this period, when the earth's orbit was most eccentric, or least like a perfect circle, began 240,000 years ago, and ended 80,000 years ago. Start back, then, from this latest scene in the transformation of New York's most prominent geographical feature, at least 80,000 years ago, and imagine, if you

can, how far back it must be to the Potsdam Period of the Silurian Age, in Paleozoic Time, when New York, first of all the States of the Republic, appeared above the surface of the ocean and began its career as a part of the North American Continent. We need not calculate the precise date in geologic history when other portions of the Union came to the top, to be sure that the Empire State had precedence in this respect also by a considerable figure.

Another promise, or prophecy, of later conditions for New York, is to be found in the history of earliest human occupation of New York territory. In a past much less remote than the one we have been trying to calculate, but still much antedating discovery and settlement by civilized men, man in the savage or barbarous stage had already made the soil of New York the seat of Empire in a most remarkable and undeniable manner. For it was here that was formed and developed the "League of the Iroquois," or the confederacy of the "Five Nations."

"The immediate dominion of the Iroquois," says Bancroft, "stretched from the borders of Vermont to western New York; from the lakes to the headwaters of the Ohio, the Susquehanna, and the Delaware. . . . Their political importance was increased by their conquests. Not only did they claim some supremacy in northern New England as far as the Kennebec, and to the south as far as New Haven—the peninsula of Upper Canada was their hunting-field by right of war; they had exterminated or reduced the Eries, dwelling to the south of Lake Erie; . . . they had triumphantly invaded the tribes of the west as far as Illinois; their warriors had reached the soil of Kentucky and western Virginia." Surely a dominion so vast is a phenomenon worthy of study, especially when the seat of this Empire, as of a later one alluded to in Washington's letter, was clearly within the borders of the State of New York, where were the dwelling places, the villages, and council-fires of the Five Nations (afterward Six) who achieved so extended a supremacy over their fellow-natives.

Of the six great groups or families of Indians, tribes representing the Algonquins and the Iroquois occupied the territory of the State, of New York, as well as Canada, to the north of it. The Iroquois were originally only one nation, and but few in number at that. They lived near Montreal, on the north bank of the St. Lawrence River, and they were in subjection to the tribe of the Adirondacs, a branch of the Algonquin family. They learned the art of husbandry, rude as it was in those days, from their masters. But as instruction of so useful a nature was offset by cruelty and oppression, the Iroquois finally rose in rebellion to the rule of the Adirondacs, seeking to throw it off. Failing in this, for in strange contrast with their later irresistible prowess, they were but a feeble folk then, they determined to escape their troubles by emigration. Thus they put their belongings in canoes, worked their way up the St. Lawrence River till the shores widened into the blue lake of Ontario. They risked the perils of the deep, crossed the lake, and paddled their way up the Oswego River into the interior of our present State.

They now divided themselves into separate bands. One band went eastward and established its village at Ganegahaga, or Utica, becoming known later as the tribe of the Mohawks, often a synonym in later days not only for the whole of the Five Nations, but for all that was savage and cruel among Indians. The tribes afterward distinguished as the Oneidas and the Onondagas remained one band for some years; then they broke up into two, one settling at Ganoalohale, east of Oneida Lake, the other in the Onondaga Valley. The later Cayugas and Senecas also were one band at first, then separated and developed each into an independent tribe, one near Cayuga Lake, the other on the Seneca River. At first the five tribes thus gradually formed out of the single Iroquois nation, remained divided. Not only was there no league as yet, in spite of this common family origin, but they were even hostile toward each other, and more than once entered upon the warpath with its attendant horrors of depredation and torture.

But the pressure of common enemies of the Algonquin race reminded them of the claims of brotherhood, and taught them the advantages of union. It is uncertain when the League of the Five Nations was first formed. Lewis Morgan puts it as early as between 1400 and 1450, while Parkman gives as its date about a century before the Dutch came into contact with the Confederacy, or between 1510 and 1514. There did not fail to enter legendary or mythical elements into the account of its origin, as told by the Indians themselves. They attributed the scheme that had such tremendous and such lasting consequences to one Hayo-wentha, in whom we may, without much difficulty, recognize the more familiar figure of Hiawatha, immortalized by our Longfellow. At any rate, the league was formed, and for the purpose representatives of the five tribes met in council at the seat of the Onondagas, near Syracuse, the central tribe.

It is well to stop right here and get a good view of the people we are dealing with. What stage did they occupy in the evolution of civilization? A word as to this is not only interesting in itself, as placing in the right light before us the nations of men who dwelt in America before ever it became the adopted "habitat" of imported races from Europe; but it will serve a useful purpose in making somewhat more credible the formation of this remarkable confederation among men whom we should hardly have thought capable of it. It so happens that the most careful and painstaking historians of "The League of the Iroquois," has also given in a later book "Ancient Society," what is considered as the most scientific analysis of the progress of civilization.



SAMUEL DE CHAMPLAIN.

Mr. Lewis H. Morgan divides the history of civilization into the three generally accepted stages of savagery, barbarism, and civilization proper. The stage of savagery he divides again into three steps or periods: the lower, when men subsist on nuts and fruits, requiring no skill or labor to obtain; the middle, when men have learned to catch fish, and the use of fire to cook them; the higher, when the bow and arrow have been invented, and men extend their range of provisions and their possibility of sustaining life for larger numbers by giving themselves to the muscular and mental exertions of the chase. All of the Indians on the American Continent had reached this higher or last step in the stage of savagery. It is said that some tribes in Australasia are as far back in this evolution as the middle or even lower periods, having no knowledge of the bow and arrow.

The next stage, or barbarism, may be characterized in a general way, as marked by the knowledge of the art of pottery. Its lower or first period reveals the practice of a rude agriculture, the feeblest coaxing of the soil to yield its products, without as yet any domestication of animals. The middle or second period of barbarism sees animals domesticated in Europe, but not yet in America; the people here being entitled to be classed as of this stage or period, because of the use of adobe brick and stone for building, and the cultivation of the soil by irrigation; also the use of copper is now perceived. The higher or third period under this head is distinguished by the fact that men have learned to smelt iron ore, and to use the metal resulting therefrom for tools and weapons. Civilization proper emerges from barbarism with the use of the alphabet. In the Old World the Phœnicians, Egyptians, and Hebrews occupy this position.

It is not thought scientific to consider any of the peoples in America as thus far advanced, in spite of the remarkable development appearing like civilization among the Mexicans and Peruvians, even though in Mexico the picture writing was very closely on the track of a real alphabet. These Americans had not even attained the "iron" stage, to which must be assigned

the German tribes of ancient Europe. Only three of the periods of civilization thus carefully differentiated may be found represented among the Indians in this hemisphere. The higher savagery to which most of the wandering tribes belonged, the lower barbarism, where we may place our Mohawks and their confederates; and the middle barbarism, no higher than which may we classify the people of Mexico and Peru.

We have, then, precisely located our friends of the Iroquois League in the evolution of civilized existence. They were not savages, scientifically speaking; they were barbarians of the middle period, using pottery, practicing agriculture, but without domestic animals of use in that art. But as they were also without an alphabet, and thus with no language but such as makes its fleeting impression upon the ear, without the power of abstraction or generalization, and thus occasioning no exercise of the thinking faculties along those lines, it seems almost beyond belief that they were capable of forming and continuing for centuries a league so nicely articulated as we shall now describe it, following Mr. Morgan's account in "Ancient Society," pp. 128, 129. It is best to give it in articles, as if we were presenting our own Constitution:

I. There was a union of the Five Tribes, under one government, on the basis of entire equality, each tribe being independent in its own local government. II. The government of the whole League was in the hands of a general council of sachems, limited in its numbers, of equal rank and authority among themselves, supreme in all matters relating to the confederacy. III. There were fifty sachemships among the tribes, to which men were elected each in his own tribe, but invested with office by the General Council. IV. The sachems of the confederacy were also sachems in their own tribes, and the chiefs of any tribe constituted a council for each supreme for such tribe. V. Unanimity was necessary for action in all matters in the General Council of the confederacy. VI. In the General Council the vote went by tribes; the representatives of each voted

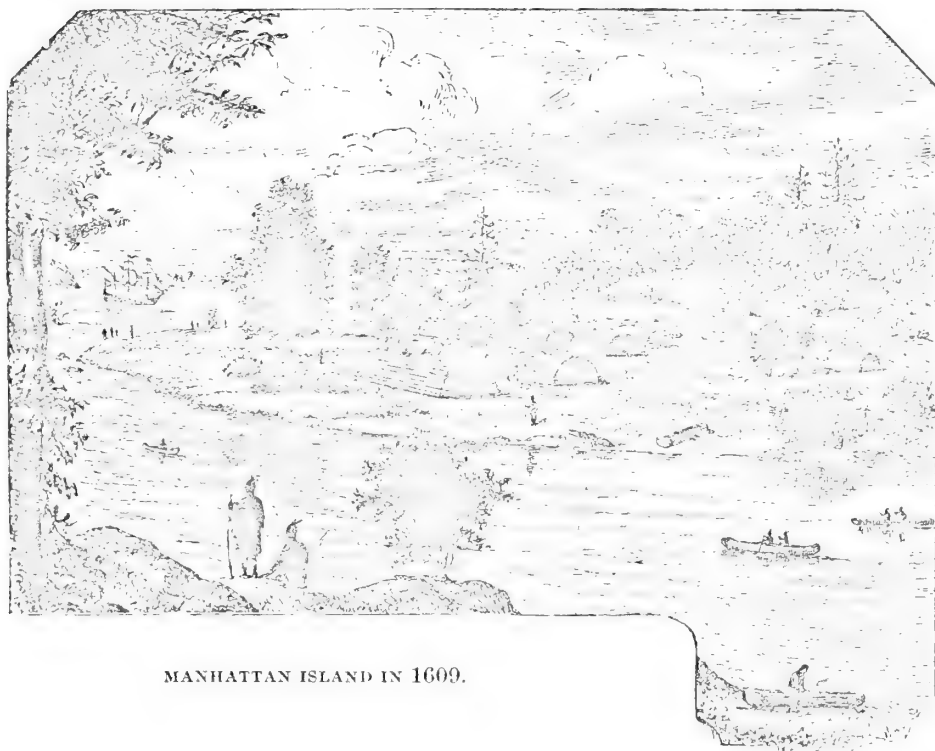
as a unit. VII. The council of any tribe could convene the General Council, but the latter could not convene itself. VIII. At the General Council any of the people were privileged to speak and harangue; but the decision on any question was reserved to itself. IX. The confederacy had no permanent chief, executive magistrate, or official head whatever; but X, in case of war, two general military commanders were given chief direction, with equal power and authority.

Thus at Onondaga, at the center of our State, in the fifteenth or sixteenth century—while Europe had just been burning its Huss at the stake, or just before Luther had nailed his thesis to the church door—came together these five primitive barbaric nations, the children of the forest, to establish this remarkable form of government, which, in its provisions and details, was not very unlike the confederacy of the United Netherland Provinces, with its States-General, or that of the thirteen United States of America under the Continental Congress. The League had two names for its combined existence. The one smacked of the unlimited self-esteem which is apt to possess the untutored breast of the “wild man.” They felt that they were, and did not hesitate to say so, the “Ongwehonwe”—“the men surpassing all others.”

The other name was descriptive or figurative, rather than boastful, “Hodenosaunee,” or “the people of the long house.” This was really a picturesque and apt appellation. It had reference to the hut or cabin of birch bark, which was the abode usually of five or six different families, bestowed in as many sections of it under one long roof, familiar to those who have done any reading in Indian lore. So was this confederacy like one long house stretching from the vicinity of the Hudson River to near Niagara, through the very heart and center of New York State. What we now know as Schenectady was truly named thus, “the place outside the door of the Long House,” eastward, but was at Albany, or the shores of the Hudson, before the ar-

rival of the white men caused "the place" to retire to the city thus designated to-day.

The first family of the Long House, as we trace its dwellers in a westerly direction, were the Mohawks, "the people possessors of the flint"; next came the Oneidas, "the granite people"; these were followed by the Onondagas, "the people on



MANHATTAN ISLAND IN 1609.

the hills"; next after them were the Cayugas, "the people at the mucky land"; lastly, facing the western horizon, were the Senecas, "the great hill people." As we shall see later, the Five Nations became the Six Nations in 1715, when the related Tuscaroras ("the shirt-wearing people") were driven from their hunting fields in the South, and added one member to the con-

federacy, their name indicating that contact with the colonists from abroad had had a modifying effect upon their apparel.

The League of the Five Nations having been formed, as indicated, they went forth in the strength of their union and conquered their enemies near and far. They almost justified the claim of the boastful title they gave themselves, surpassing all the men they came in contact with in prowess and intelligence. Their conquering arms spread over the vast territory described by Bancroft, as we saw above. When civilized men began to explore the interior for purposes of settlement, they found, as Parkman says, that "foremost in war, foremost in eloquence, foremost in their savage arts of policy, stood the fierce people called by themselves Hodenosaunee, and by the French the Iroquois." They reigned from Quebec to the Carolinas, from the western prairies to Maine, but the seat of Empire was where the Long House was set up, where the five nations dwelt in their villages, where the council fires burned—the heart and center of the State of New York.

In fairness to the other tribes, as well as to complete the picture of human occupation that here met the eyes of the pioneers of civilization, we must briefly indicate the names and localities of the various Indian nations that dwelt in other portions of New York State before the advent of the white man. Their names variously spelled, and positions variously marked, are found upon early maps of these regions, notably upon the "Figurative Map" of 1614. But we can not say that this information can be greatly relied on. These early map makers depended mainly upon hearsay, and such tribes as we can more or less faintly recognize by the spelling given are generally put in the wrong place geographically.

We turn with much more confidence to van der Donck's map of New Netherland of 1656. He was a scholar of eminence, and besides by that time several decades of actual colonization had enabled students to ascertain definite data on the subject. It is from such and other sources that experts in Indian lore have

learned sufficient to tell us with confidence that east of the Iroquois League, about the headwaters of the Hudson River, dwelt the Mohicans or Mohegans, while down toward Albany and below on the east side of the river were the Wickagjocks and the Meehkentowoons. Continuing southward on the east side we meet in succession with the Wappingers in Columbia and Dutchess Counties, the Nochpeems in Putnam, and the Sint-sinks and Weckquaesgecks in Westchester. West of the Hudson we shall, of course, find the way cleared of all other than the five Iroquois nations, in the tiers of counties along the Pennsylvania border.

Nearer the Hudson and below the Mohawk, reaching into the triangular pocket with its apex at Tappan in Rockland County, we shall find first the Katskill Indians, named after the Dutch designation of the mountains, near which they dwelt. Next below in the vicinity of Kingston would be found the Warranawonkongs, with the Waoranecks about the fastnesses of West Point and Stony Point. We would expect to find the Haverstraws and the Tappans in the vicinity of the localities now thus known. On Manhattan Island we would hardly find the Manhattes, or Manna-hattas, or Manhattans, as they are variously called, for the safest authorities give grave reasons for doubt as to there having been such a tribe at all, the name originating merely from an exclamation which Hudson and his crew heard. But the Reckgawawaneks dwelt on this island.

Some of the Raritans of New York dwelt or roamed on Staten Island. Long Island, with its hundred miles of eastern reach, bore many tribes. At the western extremity, where Brooklyn came to be later, the Canarsees (or Canarsies) ruled supreme; the Rockaways (sometimes with a less Anglicized spelling) occupied Queens County, while Massapeguas, Matinecocks, Nesaquakes, and others filled out the space toward the eastern extremity, the one name covering them all on van der Donck's map, being Matouwacs. It need not be repeated here that all these



tribes belonged to the Algonquin family, as distinguished from the Iroquois, and were at any moment subject to hostile attacks from the latter.

The history of the occupation of New York by civilized men begins, of course, with the discovery and exploration of the Hudson River in 1609. Yet the foot of the white man had been set upon New York soil before the arrival of Henry Hudson. We do not need to claim this precedence for Jean Verrazano, in 1524, whose boatful of sailors just passed through the Narrows and then hurried back again for fear of a storm; nor for Stephen Gomez, who caught a mere glimpse of the headlands separating the Upper and Lower Bays, in 1525, placing a river of San Antonio on the map of Chartres in 1536 by mere conjecture. The honor belongs beyond question to that able explorer and colonizer of France, Samuel de Champlain. Actuated by the thirst for glory rather than for gain, his aim was to effect a permanent colony, and lay the foundation of a State in the New World. In 1608 he founded Quebec, and his desire to keep on good terms with his Indian neighbors led him to mix himself up in one of their hereditary quarrels.

The Hurons and Algonquins of Canada had felt the power of their once subject Iroquois, and despairing of successful resistance with the ordinary means of warfare at their command, they begged Champlain to accompany them on the warpath, armed with the formidable firearms of the white man. The Governor of Canada consented to go, taking only two companions with him. The expedition started on its hostile errand in May, 1609, when Hudson had been about a month at sea, and was perhaps only just then turning back from the North Cape toward America. The Huron and Algonquin braves in large numbers conveyed the small party of their allies up the St. Lawrence in their canoes. They turned into the Sorel River, and so by paddling and occasional marches across portages, they reached the lake of New York, named ever since after the great Frenchman who was with them. As they penetrated

farther into the country of the enemy, the days were spent in hiding and the nights in stealthy travel.

At last, on July 29, 1609, the Indian scouts assured their chiefs that they had come upon a war party of the Iroquois, and that these, too, were aware of their presence and were ready for the fray. The spot reached was the vicinity of Crown Point, and, according to Indian tactics, at 10 o'clock at night, by a bright moon, the battle was opened. The tribe from the North did not at once display their auxiliary force. They let the encounter



THE FIRST VIEW OF NEW AMSTERDAM, IN 1635.

open with the usual flight of arrows, then the ranks parted and Champlain and his two companions-in-arms stepped forward and opened fire. The forest resounded with a strange report as of thunder low by the ground; and as the invisible missiles felled several warriors, the hitherto invincible Iroquois fled from the mysterious enemy, whose destructive possibilities they had had no means of fathoming.

Content with their easily bought victory, the Algonquins retired toward Quebec, and de Champlain did not follow up the exploration hitherward with any attempts at settlement or even

trade. He knew not that the discharge of his three pieces had forever set up a barrier against French possession and influence in North America, and finally resulted in the supremacy there of the Dutch and English allies of the Iroquois, who had been forever alienated from France by this act of her pioneer in New York State.

Precisely five weeks to a day after this episode in the history of French exploration of New York, on Wednesday, September 2, 1609, at five o'clock in the afternoon (so minute is the record), Henry Hudson dropped the anchor of the "Half Moon" into the waters of the Bay just around the corner of Sandy Hook. Sent by the Dutch East India Company to find a passage to China and India through Arctic seas, past Nova Zembla and Siberia, he had turned about to find a river or strait suggested to him by maps or conversations with Captain John Smith somewhere about the fortieth degree of northern latitude, which might afford a passage to the Pacific Ocean like Magellan's strait furnished at the southern extremity of the New Hemisphere. From his anchorage near Sandy Hook Hudson could see the tides rushing out between Verrazano's "little hills," the headlands of the Narrows. But when he saw the tides rushing in as well, the conclusion as to a powerful river being there must have seemed erroneous, and the illusion as to a convenient and hoped-for strait confirmed.

Ten days of cautious circumspection were followed on September 12, by the actual entrance of the "Half Moon" through the mysterious portal, and thus began the exploration of the Hudson. Day by day the tides were permitted to carry the ship bit by bit up the broad channel, by no means discouraging Hudson's theory of another Magellan strait. The sails were spread to assist the tide when greater confidence had been conceived, and a stretch of twenty leagues on September 15 carried the explorers through the fitful passages of the Highlands. As they were "passing by high mountains," the Catskills on their left, friendly natives approached in their canoes, and "Indian corn

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HENRI IVY CON

and pompions," as well as fish, freshly caught, were made to increase and variegate the crew's fare.

On September 18, when the "Half Moon" was perhaps opposite Hudson City, the confidence inspired by the friendly conduct of the natives, emboldened the captain to make a landing. He was entertained in lavish style by a chief, residing in a circular hut, its arched roof and sides covered with strips of bark. The feast spread before the Indian's guest consisted of pigeons, flanked doubtless with toothsome dishes of succotash, canash, or pumpkins; but the *pièce de resistance* was "a fat dog." As in the most authentic accounts of our Indian predecessors, their first view of the European's dogs aroused mingled feelings of terror and astonishment, doubtless "the fat dog" was a well-fed coon, or other indigenous animal whose carcass resembled a dog's to Hudson's eyes. On September 19 the ship's company were made acquainted with the possibilities of a profitable trade by the view of beaver and other skins, surrendered to them for a trifling barter. On the 20th the increasing shallowness of the "strait" induced the Captain to send a boat ahead to see if there was to be no repetition of the broad and deep passages below.

The reconnoitering party had to report that the signs of a river approaching its head waters were unmistakable, and that the theory and hope of a strait would have to be abandoned. Perhaps this advance party had gone up some considerable distance beyond Albany; and thus, unconsciously, Champlain for France, and Hudson for Holland, had touched in their explorations points within New York State at only a few score miles from each other, and within less than two months of time. Disappointed in his quest for a passage to the Pacific, Hudson turned his prow southward on September 23, and on October 4 cleared the Narrows for Europe, freighted with news of discovery and exploration which has borne marvelous fruit throughout the three centuries that have since passed away. The way to the very heart of New York State had been opened; the magnificent river, like an arm of the sea, held wide open a direct and inviting

path for the civilization of the Old World, to come and transform the rude but teeming wilderness of the New.

Hudson, the crew, and the "Half Moon" on their arrival at Dartmouth, England, in November, 1609, were all detained by the English authorities for the offense of having traded in regions belonging to England. Hudson himself was not allowed to go to Holland at all. His papers, reporting to his employers, the Dutch East India Company, what he had discovered and explored, were permitted to go during the winter, and the crew with their ship were released and returned to Amsterdam in the spring of 1610. The papers of Hudson had already had a decided effect among a people keenly alive to opportunities for commercial enterprise and the extension of trade. Even before the "Half Moon's" return, a company of a few merchants had been organized and were ready to send a vessel to the new great river in America, a part of Hudson's crew being engaged for the journey, and Hudson's Dutch mate being made captain.

This ship came back loaded with skins of beaver and other fur-bearing animals, for which a good price could be obtained in the markets of northern Europe. The profits were satisfactory to a degree. Ax-heads, shovels, tin pans, beads, mirrors, not very expensive commodities in Holland, were regarded as expensive luxuries in the wilds about the Hudson. The Wappingers, or Warranawonkongs, or Mohawks, or Nochpeems set upon them the value of ornaments. They hung ax-heads and shining hoe-blades about their necks, and were glad enough to give a shipload of beaver and other skins in exchange for such jewelry. Hence still other ships followed in the wake of the one sent in 1610, more than we have any record of. From year to year they went out in the spring and returned in the autumn, just as the "Half Moon" had done.

In 1612 we come upon the names of two men prominent in these early enterprises, Henry Christiaensen and Adriaen Block. They chartered a vessel together, and went out in her under a Captain Ryser. Their experiences and observations led them to



undertake an expedition on quite a different plan in 1613. They were themselves sea captains by profession, so they fitted out two vessels, of which they took command themselves, Christiaensen of the "Fortune," and Block of the "Tiger." It must be owned that it is not easy to disentangle a very clear account of their doings and the things that happened to them. It seems to have been their purpose not to return to Holland in the autumn. Christiaensen went up to the head of navigation on the Hudson, and established a sort of rude trade-post there during the summer of 1613.

Block was left to do the same on Manhattan Island and its vicinity. But the latter had the misfortune to lose his ship, the "Tiger," by fire, and so whether or not they had purposed to winter in America or not, this mischance determined the adventurers to stay here. It would seem as if



WEST INDIA COMPANY'S HOUSE, AMSTERDAM, STILL
STANDING.

they might all have gone aboard of Christiaensen's ship well enough if they had wished to return to the Fatherland. At any rate, they passed the winter on Manhattan Island, putting up some bark huts after the style of architecture prevailing on that island then, and surrounding themselves doubtless with a stockade or wall of palisades. Thus it came to be reported several years later that a fort had been built on Manhattan in 1615. The site of this interesting assemblage of huts, and the beginning of white men's habitation within the bounds of the State of New York has been duly marked by a tablet of bronze, and may be seen at 39 Broadway in New York City to-day.

Having aided Block's crew in constructing a small yacht or

shallop to take the place of the "Tiger," Christiaensen left him to finish and launch it, and sailed up the Hudson River in the spring of 1614 to see what the Indians had collected for him in the way of peltries at the head of navigation. To invite a regular flow of trade along the avenues which nature had provided along the Mohawk from the West, and along the lakes Champlain and George from the North, at the point where these trade-routes converged, the Dutch captain-merchant resolved to provide a permanent station.

On an island in the center of the river, a little below the junction with the Mohawk, he built what may with some reason be dignified with the name of fort. First there was a magazine or storehouse, thirty-six feet long by twenty-six wide. At a distance of sixteen feet from either side of the building, and of eleven feet from either end of it, he erected a line of breastworks of palisades, closely set together so as to form a solid wall impervious to the Indian's arrows. The quadrangle of the "fort" thus measured fifty-eight feet square within the walls. As a further protection, he dug a moat all around it no less than eighteen feet wide. Two cannon and eleven swivel guns were taken from the hold of the "Fortune" and mounted at proper intervals, and thus was the fort complete.

The name given to it was Fort Nassau, in honor of the Stadholder or Chief Magistrate of the Dutch Republic, Maurice, Count of Nassau, after whom also the Hudson River received for a while the name of Mauritius. Christiaensen left for Manhattan Island soon after achieving this bit of important history for the vicinity of Albany and Troy, leaving in command of the station to serve in exigencies of trade and war combined, one Jacob Eelkens. Sad to say, the founder of Fort Nassau was killed on his way down the river by one or two Indians he had taken to Holland in 1612, which doubtless argues a not very kindly treatment of these aboriginal specimens.

Meanwhile Block had not been idle down about the mouth of the Hudson, and had made some rather important history for

Long Island. The sloop or shallop which he and his men had built, was named the "Onrust" (Restless or Unrest). It was just small enough to make it possible to push its little prow into hitherto unexplored bays or inlets or straits, which had been suspected of insufficient depths.

Thus the inquisitive mariners first ventured to trust themselves to the boisterous eddies and boiling currents of Hellgate. Safely coming out of these beyond the Whitestone ledge, or the present Willett's Point, there opened before them an unexpected body of water, the Long Island Sound. It had not hitherto been supposed that there was any such water back of the line of coast we know now as Long Island, or that therefore this long stretch of level surface, with its background of hills, was an island at all. Going on farther east, and looking into the rivers and bays of Connecticut, naming these and the islands in their course by good, round Dutch appellations, of which Block Island alone remains, Block came across a ship of the Fatherland, exchanged places with its captain (perhaps a son of Christiaensen), and went to Holland, arriving there on October 1, 1614.

He had made some new discoveries. Others had merely gone over the track marked out by Hudson. Long Island Sound was something new. Now, in March, 1614, the States General, or Congress of the Republic of the United Provinces, had promised a charter of incorporation for exclusive navigation and trade to any company of merchants who could show any new countries, rivers, bays, what not, which they had discovered.

On October 11, 1614, Block was before the States General with his "Figurative Map," showing how he had fulfilled the conditions of the promised charter, and, accordingly, there was issued then and there the instrument creating the "New Netherland Company," the original document being still preserved among the national archives at The Hague. The monopoly of trade and navigation was granted to about fourteen merchants and sea captains, of the cities of Amsterdam and Hoorn, then close commercial rivals, the list being headed by no less a person than a

former Burgomaster of the Dutch metropolis. It was to go into effect on January 1, 1615, and to be in force three years.

Encouraged by the government in the way that all merchants covet, even down to our own day and in our own enlightened republic, because it assures quick and great profits for a time, and puts off an evil day of reckoning to convenient distance, the New Netherland Company diligently exploited the regions of the New World, to which they alone had access. Still their only permanent station, or factory, remained the one at the head of navigation, or Fort Nassau. The situation had been well chosen to invite trade, and also for its security from attack by hostile Indians.

But it was not proof against the more formidable assaults directed by Nature at the breaking up of winter. It suffered severely each spring, but finally, in 1617, the swollen flood and rushing icefloes made a clean sweep of all man's handiwork, carrying away magazine and stockade, and obliterating the moat. Then Jacob Elkens sought a less exposed position on the west bank of the river, on a low hill in the angle formed by the influx of Norman's Kill into the Hudson, about four miles south of Albany. Fort Nassau was transferred to this hill on the mainland.

Unconsciously, we have entered into the realm of legend and poetry, and at the same time come upon a crucial event in the history of the contact of New York colonization with the aboriginal Indians. Plain, prosaic Norman's Kill was the Indian's "vale of Tawasentha," that "green and silent valley," where Longfellow tells us "dwelt the singer Nawadaha," made sacred also by the footsteps of Hiawatha. The rise of ground on which the second Fort Nassau was built was called "Tawassgunshee" by the Indians, and here, in 1618, a memorable event took place. It was now nine years since the Carabines of Champlain and his two companions had spread death and consternation among the ranks of the Five Nations. They had fled abashed before a mystery too great for them then. But they were shrewd observers.

They had learned that there was nothing supernatural about a musket, and powder, and balls, although exceeding effective in warfare beyond anything that arrows or hatchets could do. Had they but these weapons of the white men in their own hands, nothing could stay their conquest. The advent of the



THE "FIGURATIVE MAP," LAID BEFORE THE STATES-GENERAL IN 1614.

traders into their very territory, and their eagerness to obtain peltries, seemed to offer the chance they so greatly desired. The General Council of all the Five Nations was called together to meet on the hill of Tawassgunshee, near the new Fort Nassau, whence came forth Commander Eelkens and his officers. The



council fires were lighted, the calumet of peace duly smoked by all parties, and the long-drawn eloquence of the Indian orators was let loose. There were present groups of natives also of other tribes, the Algonquins of the neighborhood, Lenni-Lenapes, Mohegans, Minquas, something after the fashion of the old Roman triumphs, to give evidence by their presence of the conquering might of the people of the Long House.

The upshot of the orations on the one side, and the more business-like remarks of the Dutch officers, was that the Five Nations should furnish the Dutch traders exclusively with the furs that fetched such high prices in Europe; while these in turn should give in exchange only to the tribes of the Iroquois League the muskets, carabines, with powder and shot, upon which they set so high a price for political reasons. It was the rude political economy of the forest, not quite outgrown in great cities that should be more cosmopolitan—monopoly and protection combined. Horrified historians, in recounting inroads with pillage and murder upon the settlements of civilization in the later New England and even New York, have no mild terms of condemnation for the Dutch in thus recklessly arming the Indians, and placing them so much nearer on a par with the white men in warfare. But yet the main result of this treaty of Tawasentha was beneficial and far-reaching for the progress of civilization in North America, especially if we hold the notion that civilization was assured its best progress by the occupation of America by the Anglo-Saxon type of it.

As one authority remarks: "The compact thus solemnly and ceremoniously formed was never seriously violated. It was the basis of a lasting friendship between the Iroquois and the Dutch, to which the English succeeded, and which raised a perpetual barrier to the encroachments of the French from the North." There was serious question for many decades, if not nearly a century, whether domination and development of North America should be by a Latin or a Teuton race. The Latin race has certainly not done much for South America, and it is at least open

to doubt whether the branch of it which once held Canada would have done much better for North America.

And the settlement of that "most momentous and far-reaching question ever brought to an issue on this continent," as Dr. Griffis calls it, depended almost entirely on this other question, as he continues, "which side should win and hold the friendship of that powerful Confederation of Red Men who overawed or held in tribute the Indians from the Mississippi to the Atlantic, and from Lake Champlain to the Chesapeake." Therefore was the carabine's discharge on July 29, 1609, of such portentous consequence to France, whose soldiers dealt death thereby among the Iroquois. And, therefore, was the treaty of Tawasentha, in 1618, establishing inviolate friendship between the Iroquois and the Dutch, of such great moment to the history of civilization in America.

On January 1, 1618, had expired the three years of exclusive privilege for the New Netherland Company. They naturally desired an extension of time. But other companies or individuals had contrived to elude their chartered monopoly, producing endless complaints before the States-General. That body was, therefore, inclined to give ear at this time to a scheme which had been before the country for some time. In 1602 had been erected the Dutch East India Company, with vast exclusive privileges for trade and conquest in the East Indies, with millions of money invested, upon which high percentages were paid in dividends, so that in 1609, when it sent out Hudson as a bye-experiment in the "Half Moon," it had disbursed to its shareholders the comfortable dividend of 75 per cent. In 1604 one William Usselinx began to agitate the erection of a similar company to exploit the Western Hemisphere; or, rather, as the result of his agitation, begun several years before, he was asked to elaborate on paper a precise plan for the enterprise. This went before various legislative bodies, the Burgomasters of Amsterdam and the Provincial Legislature of Holland.

Just when the discoveries of Hudson and Block occurred to

give a great stimulus to such a scheme, there was truce between the Dutch Republic and Spain, lasting from 1609 to 1621. A company, such as Usselinx contemplated, could only live by depredations on Spanish fleets and territories in America. The New Netherland Company was formed, as we saw; but when its charter expired the end of the truce was near, and after various discussions and modifications of Usselinx's plan, in June, 1621, the charter of the Dutch West India Company was signed. Yet the full capital of over seven million guilders was not fully collected until 1623. To this company, among many other, and to itself much more important things, was committed the duty of colonizing the regions about the Hudson, which had already been designated as New Netherland in the charter of 1614.

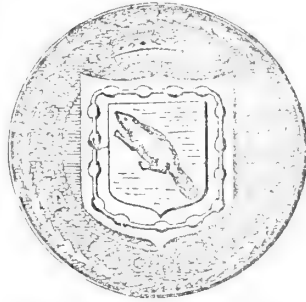
The West India Company was dominated by the commercial spirit, and had very little concern with ideas of statesmanship. Quick and enormous profits there were in capturing treasure fleets; only the far-off future could make returns for colonization. Besides this reluctance to perform a stipulated duty, there was the difficulty of finding colonists. The natives of the Dutch provinces were willing enough to go by the thousands to every part of the earth, on voyages in the interest of trade or discovery. They had no reason for leaving their free and prosperous Republic to encounter the hardships of the wilderness and build up prospective States.

But Holland was full of refugees from the religious persecutions of other countries: the Pilgrims from England, the Huguenots from France, the Walloons from Belgium or the Spanish Netherlands. The Pilgrims asked to be sent to New Netherland early in 1620; but for certain reasons their petition was not granted. Then a company of Walloons, composed of some fifty or sixty families, made a similar application, in 1622, and as the West India Company was now formed, although not fully capitalized, this petition met with better success. A ship, large for that day, of two hundred and sixty tons, or over three times the tonnage of the "Half Moon," was set aside by the company to



convey these Walloons to America. It was appropriately named the "New Netherland," and left Amsterdam in March, 1623. It had a measurably prosperous passage, reaching the mouth of the Hudson in May.

A deposition, by one of the passengers, made as late as 1686, informs us that some eight or ten of the Walloons were left on Staten Island; but it seems hardly credible that so small a company should have been left defenseless among the untrustworthy savages, unless as punishment for some offense. The "New Netherland" proceeded up the river, but its unusual size was against it. When about opposite Esopus Creek no further progress could be made until her cargo had been transferred to boats. No one was left on shore here, however, which shows that the settlement of Kingston had not yet begun. With her cargo lightened, she was able to reach Tawasentha, or Norman's Kill. Here was still the small redoubt called Fort Nassau.



SEAL OF NEW NETHERLAND.

Greater things, however, were contemplated now. A few miles further up, on the west bank of the Hudson, the engineers and soldiers accompanying the expedition marked out the lines of a regular fort. It was provided scientifically with four angles, trenches were dug, and walls of earth thrown up. The Stadholder of the Republic had now become Prince of Orange (by an elder brother's death), as well as Count of Nassau, and, choosing now the more lordly name, the stronghold was called Fort Orange. About this clung the settlement of the same name. Eighteen of the Walloon families were set apart to constitute the colony, and, while soldiers made their fort and traders tramped the forest, these Walloons put spade or plow into the virgin earth, and the fertile soil readily responded.

Captain May and the "New Netherland" sailed away with the remaining families to commence a settlement on the Dela-

ware River. But the history of civilized settlement of a really permanent character had begun for New York State, and Albany may claim the glory of the experiment. It was fraught with tremendous results, destined to reach the condition of Empire in this development also, which had already been presaged for our State by geologic formation and the supremacy of native tribes, whose seat of government was here located.



SCHUYLER ARMS.

CHAPTER II.

THE FOUR DUTCH DIRECTORS.



It was not till three years after the founding of Fort Orange, or Albany, that regular colonial government for New Netherland was initiated. Captain Cornelius Jacobsen May, of the "New Netherland," had also been invested with the office of Director of the Colonies to be established by him. But he was to hold office only for one year. In 1624 William Verhulst was given the office, also for only one year. Three ships had followed the expedition of 1623, with more Walloon families on board, who were distributed among the two settlements at Fort Orange and on the Delaware. Yet colonists had also been added to the number of the traders on Manhattan Island, and in 1624 one of the governing board of the West India Company had sent a hundred head of cattle, horses, and hogs to aid the work of agriculture there. Thus a small settlement preceded the coming of the first Director General, Peter Minuit, in 1626.

The form of government at the head of which Minuit stood, was simple enough. Associated with him was a council consisting of five members, with a secretary and a *schout fiscal*, or treasurer. In the course of the year 1625 this new system of regular and permanent colonial government had been determined on, the approval of the States General, or Republican Parliament, being necessary for its institution, and the nomination of the various incumbents to the offices needing to be confirmed by the same high authority. The first Director General has generally

been called a German, because he was a native of Wesel, a town on the borders between Germany and Holland. But it is to be observed that he held the office of deacon in the church of Dutch Reformed refugees, established there a half century before to escape the fury of Alva's persecutions in the Netherlands. He must, therefore, have been of Holland parentage or descent.

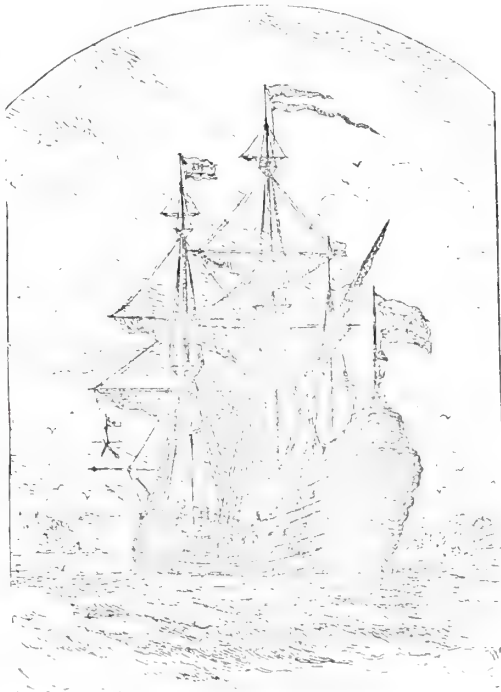
Peter Minuit and his Council of Five embarked in the good ship the "Sea Mew," and on December 19, 1625, set sail from Amsterdam. It was a severe winter, and the ice was thick in the broad Y immediately in front of the city, and also much impeded the passage over the Zuyder Zee. Hence the "Sea Mew" did not clear the channel of Texel until January 9, 1626. It was a bad time of the year for crossing the ocean, especially in vessels so small and frail as even the largest of that day. The first colonial government of New York was within five days of four months in making its way across to its seat of authority, arriving opposite the Island of Manhattan on May 4, 1626. There was scant welcome there for so distinguished a company, and no lodgment to be compared with the quarters on board ship; hence, doubtless, Minuit and the council made no move at first to leave it. There were some settlers on the island, agriculturists who had begun to test the soil to see how it would yield to methods of cultivation which had already made Holland the garden of Europe, and her farmers the instructors of that century.

There, too, were the men pursuing the traffic per barter with the natives. For their accommodation some primitive huts had already been erected amid the uncleared forest, or on the open space near the southern extremity of the island at the confluence of the North and East Rivers. But whether in agriculture or trade, much more pronounced advances had been made at Fort Orange up the river, and more at the heart of the Indian country. Now, however, that upon agricultural settlement and the pursuit of trade was to be superimposed for the benefit, development, and protection of both, a civil administration, there was obviously but one place to be selected for the seat of that. The



choice fell upon Manhattan Island, marked by nature as the spot for a commercial center, inviting the commerce of the world with its wide-open arms of bay and rivers.

Permanent occupation and the tilling of the soil involved also a manner of dealing with the Indians not hitherto pursued in New Netherland. The Dutch had occupied stations far up the Hudson, on the Delaware, and on Manhattan itself, and had not purchased any land from the aboriginal owners. The reason was that only a transient traffic was contemplated, as much to the interest of the natives as to that of the traders; forts being only put up to guard against untoward attacks of the uncertain wild men, and the cultivation of the soil being meant mainly as an accessory to trading, to provide food for the agents of the company.



THE "NEW NETHERLAND."

A different policy was now being inaugurated, and the natives were approached on an entirely different principle. For the country now definitely to be taken into possession as the nucleus of a settlement, perhaps a State, a new nation, the authorities in Holland determined to make honorable terms with the native proprietors in purchase. And so we find Minuit and his council summoning the chiefs of the tribe of the Reckgawawanks, who owned these parts, and offering to buy the Island of Manhattan. The terms were easily arranged. The twenty-two thousand acres



of island, with hill and plain and forest and stream, could easily be spared by the Indian nomads. And when it was proposed to give them in exchange sixty guilders' worth (equivalent to one hundred of our dollars in modern values) of pots and cans and kettles and ax-heads and cloths or blankets of gay colors, the natives were anxious to close the bargain, and thought themselves rather the gainers over the simple Dutchmen, who did not appreciate the glamour and glory of beads, and mirrors, and gleaming tin pans.

This, then, was the auspicious founding of the Empire State as a colonial province. The acquisition of the territory was prompt, followed up by acts of occupation, of which we can count three. First, there was the construction of a fort, growing out of the military necessities of the situation. Its lines were laid out with scientific precision by an engineer accompanying the expedition, and upon the site, familiar to later generations, almost down to the nineteenth century, and still easily identified by the inhabitants of New York City. It is pleasant to note, however, that peace with the Indians was a matter of constant assurance, inasmuch as the fort was left in a very incomplete state, with walls only half up, and without ordinance, during the entire term of the first Director.

A second act, indicating a permanent purpose of occupation, was one demanded by the necessities of trade. A warehouse of stone (or brick) was erected about two hundred feet east of the east wall of the fort, before which stood a flagpole flying the West India Company's flag of orange, white, and blue, and a small gun on a carriage, for the signaling of sunrise and sunset. Here gathered the Indians of the neighborhood with their peltries, and here, too, were stored, for later shipment, the cargoes of raw hides, brought down the river from Fort Orange in boats. The third act of occupation was in the line of industry: a mill was built to the northeast of the fort, not a thousand feet away from it. It was operated by means of a horse,



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J. P. Van der Linde

the huge millstone rolling around in a trough and thus crushing the grain.

The Secretary of the Province, Isaac de Rasières, had not embarked with the others on the "Sea Mew." He arrived during the summer, in August, in the "Arms of Amsterdam." The good ship was loaded with the peltries that had accumulated on the island, and sailed home in September, 1626, bearing nearly eight thousand beaver skins, more than eight hundred otter skins, and an assortment of mink, muskrat, and lynx, or wildcat, skins, numbering nearly one hundred and fifty. It had also a cargo of logs of oak and nutwood. By that time the harvest had been gathered in, and samples were sent to Holland of wheat, rye, barley, oats, buckwheat, canary seed, beans, flax—surely an encouraging variety.

The arrival of a Director-General on Manhattan had already had the effect of drawing people from the upper settlement, and it must have been before or after June, 1626, that Joris (George) Jansen de Rapallo had come down from Fort Orange with Cateлина Trico, his wife. If before June, their baby Sarah had been born on Manhattan Island and in that month; if after, it may have been born at Fort Orange. At any rate, in September, before the "Arms of Amsterdam" sailed, the interesting event had taken place, and was duly reported at Amsterdam on its arrival there in November.

The difficulties of the enterprise were many, and it was necessarily attended with hardships. When next we get a clear glimpse of affairs, in 1628, calamity has already come to increase discouragement. During the winter, far more severe than either Dutchmen or Walloons were accustomed to, the fierce cold led to reckless expenditure of fuel, not too carefully guarded. The people lived mostly in huts of bark, sides and roof both constructed of this frail material. A too great accumulation of fire-logs in one of the huts had its inevitable effect, and soon a whole succession of cabins clustering up against the half-risen wall of the fort were consumed by the conflagration.

In that year, too, there was a threat of Indian hostilities, which caused the farmers to hurry in from the scattered plantations, to huddle together within the incomplete fortification. When thus all collected together, the population counted two hundred and seventy souls. This was not so bad a showing for numbers, perhaps, but as yet there was not prevalent a feeling of permanence in the settlement. Many of these men had entered into the service of the West India Company for definite terms of years, which were constantly expiring. Even the Walloon families seem to have had thoughts of returning, showing that neither had they stipulated for a continuous abode.

Minuit, however, a man of excellent character, honestly devoted to the interest of his masters, the West India Company, as well as those of the colonists subject to his rule, was doing everything in his power to develop the resources of the surrounding country, and by the hope of successful industry to encourage the colonists to remain. Various experiments at manufactures were made under the stimulating influence of the Director's hopeful energy. A windmill was put up for sawing wood, in addition to the gristmill already in operation.

He set some parties to dig into the clay banks and try to make bricks, but the results were not good, as compared with those obtained in Holland. Plenty of material lay around in the shape of oyster shells for burning lime for mortar. One man, who understood that business, was placed over several assistants, in hope that potash might be obtained; but the experiment did not succeed. The making of salt by evaporation of the sea water surrounding the island was pursued with diligence, and the extraordinary heat of the summer was of great assistance. Minuit was careful to point out to the settlers the abundant supplies that nature provided in the way of forest game, as well as its fruits, roots, herbs, serving for food and medicine both; and Dutch skill at gathering supplies of fish from the briny deep was abundantly rewarded.

But we must not dwell too long upon events and conditions

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in one of the two places in the later Empire State, although chief interest naturally centers upon the point of largest and most wonderful development. Not much that can claim recording was occurring elsewhere, except, of course, at that other nucleus of State development—Albany. And for this section an event of the greatest importance took place in 1629, the so-called granting of the “Charter of Privileges and Exemptions.” It was this instrument which created the Patroonships, and bore lasting and useful fruit only in the colonization of the country about the head of navigation on the Hudson.

Something had to be done to encourage colonization. This was still the unpopular, because the immediately unprofitable part of the West India Company's work. There was much more excitement, as well as dividends, in the capture of such fleets of the Spaniards as the Silver Fleet, taken with the greatest ease by the company's fleet under Admiral Piet Hein, in the harbor of Matanzas, Cuba, in 1628, when some fifteen million guilders' worth (\$6,000,000) were taken at once, and a dividend of 50 per cent. was declared and paid out to shareholders. Yet there was the prosaic and commonplace province of New Netherland, and nothing but colonization would do here.

In order to encourage this, the charter just mentioned was issued in 1629. By its provisions each shareholder of the company who would, within four years after making known his intention, found a colony in New Netherland consisting of fifty persons above the age of fifteen years, could secure thereby the title of *Patroon* (patron) of the land that would be granted him, which might measure four miles along any navigable stream, and an indefinite distance back therefrom. This land would have to be purchased from the natives. The Patroon was intrusted



THE FIRST WAREHOUSE.

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with the government over his colonists, in civil and judicial matters, the right of appeal to the company being left open to them. Colonists coming over at their own expense would receive as much land in possession as they could cultivate, and were to be exempt from taxes for ten years. But the Patroons and free colonists were shut out from the privilege of trade in peltries with the natives, except where the company had no factories, and then the hides must be sent to Manhattan Island, and an impost be paid of one guilder for each skin.

As the result of this charter, various portions in the neighborhood of Manhattan Island were taken up by the would-be Patroons. These were all directors of the company, and in anticipation of the charter, which they knew would be issued, had sent agents to America to select good spots. It was the modern staking of claims on government land, and the trick of coming in on the ground floor of corporations, combined. It caused great disgust and indignation among the rest of the Directors, who had not been quite so quick; and Minuit was blamed unjustly as a party to these proceedings, with which he had nothing to do. The Island of Manhattan had been exempted from these promised grants, but many sections in the vicinity, on Staten Island, in Westchester County, in New Jersey, were erected into Patroonships. But the enterprise of colonization was not vigorously followed up in these, and soon came to an end, the lands being repurchased by the West India Company.

Only one of the Patroonships proved a success, and that was the one established by Kiliaen van Rensselaer, also one of the Amsterdam Directors of the West India Company. He took up large territory on both banks of the Hudson, in the vicinity of Fort Orange, reaching far back into the interior. From the first he acted on the sensible principle that colonization can only be made permanent and profitable through agriculture. He built along the banks of the river substantial dwelling-houses, barns, and stables, spending his money liberally to furnish these



with horses, cattle, sheep, and the requisite implements for cultivating the soil.

The land was also laid out in convenient farms, and these were rented at a reasonable figure; the harvest was to be offered for sale first to the Patroon, and the grain was to be ground at his mills; but these conditions were so managed as to be conveniences and advantages for the colonist, rather than hindrances in the way of his prosperity. A judicious permission of trade in peltries also served to attract and benefit settlers on his ground, although it produced occasional conflicts with the colonial authorities down the river.

Perhaps the Van Rensselaer Patroonship would not have been the exception among all the others, had not the proprietor been fortunate in the selection of his agent or factor. This was Arend Van Curlaer, a first cousin of Van Rensselaer himself, who was sent over to take charge of affairs in 1630. His vigorous management of affairs for the colonists endeared him to them; but his wise, kind, and honorable dealings with the surrounding Indians has actually made his name immortal. So deep an impression did he make upon these children of the forest that they adopted his name as a generic term for governors and kings. The Royal Governors of New York in colonial times, and those of Canada to-day, go by the title of *Kora* in their language, and Queen Victoria is to them the *Kora Kowa*, or great *Kora*.

In consequence, mainly of the unpleasantness connected with the too hasty appropriation of Patroon lands, Peter Minuit was recalled in 1632, and left his station in the ship the "Eendracht," accompanied by the Schoutfiscaal, and perhaps, also, by the first and only clergyman of the settlement, of whom more anon. His successor was Walter Van Twiller. There is every reason to suppose he was a near relative of the Van Rensselaer family. The Patroon's sister, Maria, married one Rykert Van Twiller; while Johannes, who succeeded his father as Patroon, married

his cousin, Elisabeth Van Twiller, perhaps the sister of the new Director-General.

Well connected though he was, Van Twiller was but a questionable specimen of a man and officer. The trustworthy history of Diedrich Knickerbocker distinguishes him as the first of New Netherland's governors, which manifests a lamentable weakness in Mr. Diedrich's knowledge of history, and somewhat invalidates other remarkable statements in his entertaining annals. But some of Van Twiller's well authenticated acts almost rob the picture which Knickerbocker draws of him of the elements of a caricature. There were rumors that his private life was not free from vices; as a public man he was guilty of acts of self-aggrandizement, which finally wrought him dismissal in disgrace.

In April, 1633, more than a year after Peter Minuit had left the colony, the new Director-General arrived at Manhattan Island. The only official who had been left to represent the West India Company was the secretary, John Van Remund, who had superseded Secretary de Rasières even before Minuit's recall. He was retained by Van Twiller, whose council consisted of four members. The same ship that brought these high officials carried to these regions also two very important functionaries of another sort—a clergyman, the Rev. Everardus Bogardus (or plain Evart Bogaert), and a schoolmaster, Mr. Adam Roelandsen.

Until 1858 it was supposed that Mr. Bogardus was entitled to the distinction of having been the first minister of the gospel to arrive and settle in New York City and State. But in the above year there was unearthed in Holland the actual original manuscript letter of a Rev. Jonas Michaëlius, dated August 11, 1628, and written on Manhattan Island. From this most valuable document we learn that earlier in that year this clergyman had arrived, and that he had organized a church, two elders having been chosen, one of whom was no less a person than Director Minuit himself. Services were held during all his ministry in the loft above the horsemill; indeed, even before his

coming two lay-readers, also officers of the company, had been wont to hold religious services in that same place from the time the mill was built. Something better was provided on the arrival of this second clergyman. An unpretentious church building was erected on what is now Pearl Street, some distance southeast of the fort, and directly on the shore of the bay.



THE PURCHASE OF MANHATTAN ISLAND.

Peace had prevailed during Minuit's term, although once there had been a threat of war, but it was rather among the Indian tribes themselves than between these and the colonists. Yet now came the second Director, attended by a formidable military array, a company of soldiers, numbering one hundred and four privates and officers. In keeping with this significant provision, Van Twiller vigorously pushed the completion of the fort, whose walls soon rose to sufficient height, grass-grown banks on the

outside flanked with quarry-stone within. The era of building was marked also by the erection of a roomy Governor's Mansion along the east side of the fort's quadrangle, and humbler barracks for the soldiers on the west side.

By all these means, the appearance and condition of the settlement must have been greatly improved, and Van Twiller's energy in carrying out these building enterprises, doubtless under instruction from his employers, deserves to be commended. But his character broke down under the temptation to appropriate land for himself, for which his position afforded him ample opportunities. By a roundabout method, whereby his own share in the transaction was at first concealed, some sixteen thousand acres of fine, level land came into his possession at Flatlands, on Long Island. This transaction took place in 1636, and marks the beginning of settlement for that portion of New Netherland. Soon after Van Twiller added Governor's (then called *Nooten*, or Nut) Island to his private domain, while, perhaps for the sake of symmetry, Blackwell's and other islands in the East River were likewise gathered into the Director's possession.

His term is noted for the beginning of complications and disputes with the English colonists as to the right to occupy certain territories. In 1633, by direction of the company, Van Twiller bought a large tract of land on the west shore of the Connecticut River. Block had discovered this noble stream, and thus there was the right of discovery on the side of the Dutch Republic, but it was deemed safer to fortify this claim by one of purchase from the native proprietors. The tract included the site of the present city of Hartford.

Not long after a number of families from Watertown, Roxbury, Dorchester, and Newtown, in Massachusetts, encouraged by the governors of Massachusetts and Plymouth Colonies, deliberately set out for this tract, carrying a house, constructed in sections, taken apart. They sailed up the Connecticut, past Fort Good Hope, stationed on its banks by the Dutch. The house was set up where the town of Windsor is now, and Saybrook was at

the same time founded at the mouth of the river. "In view of all these circumstances," says one, "one act of Van Twiller's stands out in strong contrast with whatever features of a less favorable kind may be discovered in his character. When, a few years later, the colony at Saybrook was massacred by the Pequods, and two English girls were carried away captives, the Director at once sent an expedition to recover them. By the promptness and address of the Dutch the captives were restored to their mourning countrymen."

At quite the opposite extremity of his province, Director Van Twiller was also annoyed by encroachments of the English. A number of adventurers from Virginia came up the Delaware and took possession of the abandoned Fort Nassau there. The leader of the party was George Holmes, and Thomas Hall, an indentured servant of his, took this opportunity to escape, and carried the news of this incursion to the headquarters of the Dutch Colonial Government. Upon this Van Twiller acted with vigor, sent a boatload of soldiers to Fort Nassau, who easily captured the unsuspecting occupants, and brought them back with them to Manhattan Island. They were sent back to Virginia in a Dutch vessel; but the names of George Holmes and Thomas Hall are found later among those of the well-to-do settlers about Fort New Amsterdam. It seems that they had been induced, on the promise of a tract of land, to introduce the culture of tobacco in New Netherland.

An intrusion of a still bolder kind occurred in the same month of Van Twiller's arrival. On April 18, 1633, an English ship entered the bay above the Narrows, and anchored off the fort. A boat pulled away for the shore, and a conference was asked with the authorities. It was learned that the ship was the "William," in the service of a company of London merchants. Their agent, who came ashore, was none other than Jacob Eelkens, the commander of the old Fort Nassau on Tawassgunshee hill, and the hero of the famous treaty with the Indian Five Nations in 1618. He had been dismissed from the service of the Dutch West India

Company in 1623, because of an act of treachery toward an Indian chief on the Connecticut River, which had made the tribe there suspicious of the Dutch, and interfered sadly with the fur trade. He was, therefore, now the more diligent in the service of the rival English company.

Eelkens, in the name of his new masters, asked no favors of the Dutch Director. They claimed that Henry Hudson's nationality conferred on England all the rights to occupation and trade in these regions which were deducible from his discovery. Hence the "William" would proceed to the head of navigation and trade at will with the natives. Accordingly, Eelkens returned to his ship, the English ensign was run up, and the anchor being weighed, wind and tide soon carried the intruders out of sight. Van Twiller's action in response to this astounding defiance was much of the nature of *opera comique*. He summoned all the denizens of the settlement about the fort to come to the river's edge and drink a bumper to the glory and authority of the Prince of Orange and the Republic. The appeal was not lost upon the people, but it had very little effect upon the progress of the "William."

Captain David Pietersen de Vries had just come to Manhattan on his first visit in command of a vessel in the interests of one or two directors of the West India Company, who wished to secure a Patroonship. On his advice, Van Twiller was led to take more decisive measures against the intruding stranger. A pinnace, a caravel, and a "hoy," manned by a part of the soldiers who had come over in the governor's ship were sent after the "William." They found that Eelkens had lost no time re-establishing his former relations with the Mohawks, establishing an impromptu magazine on an island opposite Fort Orange. In spite of the opposition of the colonists there, a large quantity of peltries had been securely stored upon this island. The Dutch soldiers compelled the English sailors to load the "William" with the rich booty, which was promptly unloaded again at the West India Company's storehouse at Manhattan, and the "Will-



DAVID PIETERSEN DE VRIES.

iam " sent about its business minus a cargo. Endless controversy and recrimination between the English and Dutch governments grew out of the "William" incident. It but presaged the inevitable result of England's unscrupulous claims.

In view of these troubles with the English neighbors, it seems incredible that Van Twiller should have been guilty of the piece of duplicity which caused his removal. Still was colonization by agricultural settlement the bane of the West India Company. A recent Dutch authority states plainly: "Agriculture yielded too little to save the colonists even from starvation, and the company, obliged to provide them without cost with food and other necessities, was less than ever inclined to put into operation new efforts to increase their number." This would hardly comport with a very thorough attention to the interests of the colony. But there were worse things than that. The articles of food and requisites for agriculture, which the company was forced to ship to America and distribute to the colonists without cost, were sold to the people of the neighboring English colonies. This statement is deliberately made by the same Dutch authority: "It (the company) began also to provide the neighboring English colonies with oxen, horses, and sheep from Holland, and with tobacco and salt from the West Indies."

This was congenial work for the dishonest Van Twiller. But it disgusted a less exalted officer of the company, the Schout-fiscaal Lubertus van Dincklage. He charged the Director with this breach of faith with the company's own people, and was dismissed for his pains and sent to Holland without payment of the salary overdue. This banishment proved a boomerang, however, for Van Twiller. Van Dincklage obtained the ear of the States-General, and he made out so clear a case that the company was roundly rebuked, and after repeated demands to do so they reluctantly dismissed the unworthy Van Twiller, who had served them too well in this nefarious business.

Perhaps in spiteful emphasis of this reluctance to remove an officer who had not scrupled to carry out their unfaithful policy,

the West India Company nominated a man as his successor of most unsavory antecedents. William Kieft had been declared a bankrupt in business at one time, by no means so nearly universally inoffensive a matter then as now. Whether as the result of this disgrace, or because of the charge made by some that Kieft had appropriated money intrusted to him for the payment of the ransom of Christian prisoners in the hands of Turks, his portrait had been nailed to the gallows in La Rochelle, France. He arrived at his post on March 28, 1638. What was to be expected from his rule was soon evinced by the remark he made to the colonists who came to welcome his advent among them, that he possessed more authority there than the Prince of Orange in Holland, because he was independent of the States-General.

Instead of being provided with a council of five members like Minuit, or of four like his immediate predecessor, the West India Company appointed no council at all, but left its choice to himself. His arrangements on this score were significant of much. He chose a single member only, and lest even he might not be pliable enough, and should place some obstruction in the way of the working of the Director's own sweet will, he granted this single council member one vote, and arrogated two votes to himself! Thus equipped for government, the colonists must have looked forward to immense comfort and prosperity under the new administration.

As the result of the exposure of the ruinous policy of the West India Company, the States-General of the Dutch Republic had insisted on certain radical extensions of privilege to the colonists in New Netherland. The company sought to avert the changes deemed so perilous to their interests by proposing some insignificant modifications in the charter of 1629, establishing the *Patroonships*. The States-General rejected these as wholly unsatisfactory. Then, at last, in 1638, they were compelled to throw open to all the colonists the trade between New Netherland and the neighboring settlements all the way along the Atlantic coast from Newfoundland to Florida. They had to relinquish even the

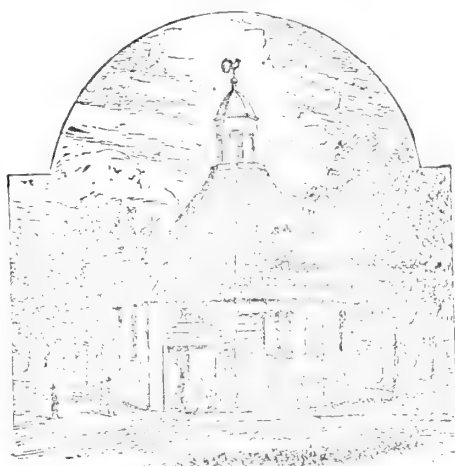
monopoly in peltries. Trade between the mother country and the colony, however, was to be carried on in the ships of the company.

Much as was conceded by these new regulations, the States-General were not yet satisfied. As statesmen, rather than merchants, they were able to grasp the far-reaching interests of all the citizens of the Republic and of the colonists in America, rather than exclusively contemplate the question of quick profits for a few shareholders, with no regard for the colonists at all. Bent on making trade as unrestricted as possible, and to encourage colonization by making its returns available for as many as possible, there was finally issued the famous charter of 1640. By this, in the first place, the privilege of becoming a *Patroon* was extended to other persons than the directors or shareholders of the West India Company exclusively; it being open to any one, who, within three years, should populate the district acquired with permanent settlers. Now, too, any person might undertake the voyage between Holland and America in his own ships, provided the trip was made directly and the cargo be not broken under way. To encourage adventurers of smaller means, a tract of four hundred acres of land was promised to any one who would transport to America and settle there five persons, besides himself, above the age of fifteen, hunting and fishing privileges being also accorded.

A still more radical concession was the right to manufacture woolen, linen, cotton, or any other such like goods. Should the number of the colonists, by these ample inducements, be so increased that villages or towns could be formed, these would be allowed to have their own government, the magistrates being chosen out of a double number laid before the Director-General. Moreover, the company offered to give free transportation to farming people who wished to emigrate thither with their families; and promised such a farm, furnished with agricultural implements, horses, and cattle, at the yearly rental of a hundred guilders and eighty pounds of butter. Indeed, the company was

promising more than it could (or perhaps intended to) perform; and its very liberality makes one somewhat suspicious of its sincerity, as the sequel abundantly justified.

Yet the fair and fine words that butter no parsnips, now, as always, had some effect upon sanguine natures. During Kieft's administration the country around Manhattan Island was being diligently settled. In Westchester County, just across the Harlem River, Jonas Bronck located himself on a plantation, his name immortalized to-day by the River Bronx, which, in turn, has given an appellation to one of the Boroughs of the Greater New York. He loaded a ship at Amsterdam with bricks and other building materials, agricultural implements, horses, cattle, and carried over a sufficient number of farmhands, besides his own family, to entitle him to the grant of four hundred acres. Officers of the colony, council members, secretaries, and such took up similar claims along the Harlem.



THE CHURCH AT FLATLANDS.

Religious bigotry in New England sent refugees for asylum to the colony of the Dutch Republic, and these people were eagerly welcomed, and were let in cheerfully under the conditions and privileges of land proprietorship so recently extended. Thus Anne Hutchinson and her adherents settled in the extreme corner of Westchester, just over the present Connecticut boundary, and John Throgmorton, with another band of unorthodox religionists, occupied the country in the vicinity of Throg's neck.

This, too, was the day for the beginnings of actual settlement on Long Island, a by no means unimportant appendage of the

Empire State. A Rev. Mr. Francis Doughty, rather loose in his views of the Communion or Baptism, and, therefore, sometimes erroneously made out to be a Quaker, acquired a large tract in what is now the town of Newtown, in Queens County. And even a little before that Kings County had received a body of permanent denizens at Gravesend, the admirers and fellow-believers of the Lady Moody, who had sacrificed a fine farm near Salem, Mass., for differing some few hair-breadths from the Puritan authorities as to the virtues of baptism.

A few years later, after the Indian wars, a beginning was made in the settlement of Brooklyn, the city that did since entirely absorb Kings County. In 1646 two or three colonists from Manhattan Island took up ground there, instituting the town of Breucklen, soon after to develop into a scattering hamlet, on the spot where thousands pass and repass in the eager pursuit of the commodities of a luxurious civilization.

The influx of emigration has always paid its tribute to Manhattan Island, in the way of a generous percentage of inhabitants deposited there. It was so under Kieft's rule. Material improvements were soon visible here. The freedom of intercourse with neighboring colonies, up and down the Atlantic coast, made visits of important merchants so frequent that the Governor could no longer undertake to extend to them the free hospitalities of his own mansion. A fine, large inn was therefore put up, dignified with the name of *Stadt's Herberg* (Town Tavern) a monument to the increasing commercial importance of the nascent New York, and later converted into its first City Hall.

Made ashamed of the poor barn-like structure on Pear Street, which was the colony's only church, the Director, in generous rivalry with Captain De Vries, subscribed liberally toward a building more worthy of the growing prosperity, and a convenient wedding ceremony calling the *élite* of the settlement together to see the daughter of the since famous Anneke Jans married to the first physician or surgeon, gave the shrewd chief magistrate a chance to secure liberal subscriptions from

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Henry

festive guests, mellowed by frequent potations. Thus, in 1642, arose the Church-in-the-Fort, at a cost of twenty-five hundred guilders (\$1,000), constructed of stone or brick, and standing for nearly a century, until destroyed by fire in 1741.

Meanwhile matters had progressed so well at Fort Orange, under the fostering care of Patroon Van Rensselaer, that the city of Albany can boast of being but one year behind New York in the erection of its first church. At a point on his lands where a number of people gradually found it convenient to put up their dwellings in closer proximity, there insensibly grew up a sort of community like a town, which received the name of "Beverwyck" (the resort of beavers), a reminder that even among these cultivators of the soil the fur trade occupied a prominent place in their thoughts. The date for this beginning of Albany's municipal history is given as 1634.

Three years later, it is stated on somewhat doubtful authority, Mynheer Van Rensselaer visited his "colonie" in person. But he need not have done so, for his affairs were safe in the hands of Commissary Van Curler. He stood like a rock for the interests of his employer, while doing everything he could for the colonists, opposing them only when they yielded to the temptations of the peltry trade, to the prejudice of the Patroon. In this adherence to duty he found it needful even to place himself in antagonism to Adriaen Van der Donck, sent out as Schoutfiscaal, or Sheriff, or Attorney, by the proprietor.

The latter did not like to brave unpopularity by forbidding the fur trade to those who were not licensed to pursue it. Driven from the colony, he contemplated starting a rival Patroonship at Katskill; but, frustrated in this, he finally settled near Manhattan Island, and became Patroon of the region where the city of Yonkers is now, named after him as Jonker, or Knight. In 1642 the Rev. John Megapolensis (in plain Dutch Van Mechelen; or, perhaps, Grootstadt), was sent by Van Rensselaer to be the first minister of the settlement at Beaverwyck, and in 1643 a church was built thirty-four feet long and nineteen feet

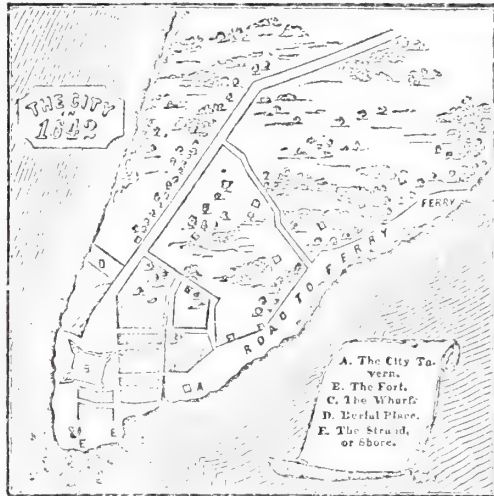
wide, furnished with pulpit and sounding-board, pews for the dignitaries of church and State, and all of nine benches (without backs) for the commonalty.

The good demine, not long after the opening of his ministry, had an opportunity to show the spirit whereof he was. Fathers Joques and Bressani, of that devoted band of Jesuit missionaries, had been captured by Mohawk warriors on the St. Lawrence as they returned from the far West. In 1643 news came to Beverswyck that Father Joques was at one of the Mohawk villages with two Indian converts, and that he was subjected to horrible tortures and threatened with death. Urged by Domine Megapolensis, and his own generous interest, Van Curler went forth and called a council of the Mohawks, to intercede for the captives. No persuasions could move them to spare the Indians, but they consented to grant the life of Father Joques, yet they would not surrender him, even for a ransom of six hundred guilders' worth of goods. He was given his liberty and he used it to go about the forest and from village to village seeking to make converts to his faith. Persuaded at last by Dutch traders to make his escape to Beverswyck, the Mohawks' demand for the return of their prisoner was evaded by the offer anew of a ransom, which was now accepted. Father Joques was sent to France, free of charge, in one of the ships of the company. The next year Father Bressani was also rescued or ransomed from the Indians, and likewise sent home.

Made dauntless by religious zeal, Father Joques returned to Canada in 1646. His sojourn among the Mohawks pointed him out as a fit ambassador to be sent to the council of the Five Nations, to effect that often attempted, but never attainable, aim of the French—peace and friendship with the Iroquois. The discriminating savages respected the sacred character of the ambassador, and perhaps deceived by their treatment of him at this time, Father Joques resolved to go among them once more and establish a permanent mission among the Five Nations. But no sooner did he again come among them in this private

capacity, than he was seized as their returned prisoner by the Mohawks. It was in vain the councils of the other nations remonstrated; the tribe claimed its barbaric rights, and torture and death became the portion of the devoted preacher of the Cross, before the benevolent Dutch could interfere or had even learned of his impending fate.

Through all the nearly thirty years of intercourse between the Dutch traders and settlers on the one hand, and the Indians on the other, from 1613 to 1641, no disasters of savage raid or massacre had ever befallen the people of New Netherland. It was a record which scarcely one, if any, other colony in America could show. It was destined to be broken under the third Dutch Director, and, as might be supposed, it was in large part due to his mean and vindictive temper. In the early summer of 1640, a party of sailors from a ship bound for the Delaware, landed, as was customary, on Staten Island, near the present Tompkinsville, in order to take in their supply of water. They found some



EARLIEST MAP OF NEW YORK CITY.

excellent young pigs running about the shore, and could not resist the temptation of catching them, with a view of having on board a few quarters of appetizing bacon or fresh pork. Sailing away on their voyage, the question arose who had stolen the pigs. The owners too readily accused the Indians, and complained to that effect to the Director.

Hastily concluding that the Indians were guilty, Kieft sent over a force of men, under his secretary, Van Tienhoven, who fell upon the unsuspecting Raritans dwelling on the island,

burning their cornfields and ruthlessly killing several of the braves. Kieft declared he had given orders not to proceed to extremities needlessly, but possibly his men pretty correctly interpreted the spirit and temper of their master. It was the first throw of the firebrand, and a conflagration was sure to follow.

The next year, 1641, occurred the murder of Claes Smits, who fell the victim of revenge for a wrong done fifteen years before. The murderer was a young Indian of the Weckquaesgeck tribe, dwelling in Westchester County, who had seen his uncle killed by three negro slaves belonging to Director Minuit in 1626, and of which no one ever knew till this act of retaliation, performed as a duty according to the Indian code. Nevertheless, the culprit was demanded from the tribe, who refused to deliver him. A force of eighty men, under Ensign Van Dyck, were sent into the woods of Westchester, losing their way and finding no Indians. But awed by this demonstration, they were induced to make peace on the condition of surrendering the offending youth, which was never done.

Now, for some time petty and isolated acts of hostility took place, giving evidence of the mischief that was brewing, until Kieft was precipitated headlong into an act of inexcusable and unpardonable atrocity. In the month of February, 1643, the Mohawks and confederates were on the warpath, driving, as usual, everything Algonquin before them. Two fugitive tribes hoped for protection from the Dutch government, and fled down toward Manhattan Island. One party stopped at Paulus Hook, or Pavonia, on the Jersey shore opposite; but a second crossed the river and lodged in the woods clear across the island at Corlear's Hook, opposite the present Brooklyn shore. Kieft determined to seize this opportunity of thoroughly punishing the Indians for their recent assaults on the colonists. He sent an expedition against each of these cowering tribes, on the nights of February 27 and 28, and a wholesale slaughter was the result, only a few escaping, and neither women nor children being spared.

Now the war was on with a vengeance; a howl of indignation went up from all the surrounding tribes, and the fury of blood and devastation filled every savage breast and banded all the Indians together in one common cause. The settlements in Westchester were wiped out, Mrs. Hutchinson, John Throgmorton, and Jonas Bronck, with a score of their dependents and followers were killed. On Long Island, Francis Doughty was driven from Newtown and his plantation destroyed. Lady Moody was attacked, and only her extraordinary precautions and strong defenses enabled her to resist the foe till relief could come.

In 1644 there was a conference for peace with the Indians on Long Island, which Captain De Vries, who had won the confidence of the Indians, attended. But the Long Island Indians could not control the river tribes, and not until a formidable war party had invaded Westchester and defeated an intrenched party of Indians there, was peace finally established on a permanent basis, in August, 1645. The colonists drew a long breath of relief, and celebrated a Thanksgiving Day on September 5, 1645, in gratitude to a kind Providence.

A feature of the Indian war of much political importance in the history of the State, was that it gave occasion for the beginnings of popular representation in affairs of government. Under the stress of the calamities he had brought down upon the colony, Kieft could effect nothing with his council of one member, with a double vote for himself. Twice he called together the body of colonists, and asked them to select "Eight Men" (a feature of Dutch municipalities) good and true, who might advise him as to the course to be taken, and through whom necessary funds might be raised. But when these representatives asked for reforms of a general nature, they were disregarded or dismissed, or the promises made to them were not kept.

As a result of his conduct in the Indian complications, Kieft was recalled in 1646, and in May, 1647, his successor arrived, the redoubted and familiar figure, Peter Stuyvesant. Like the first Director, he was a thoroughly respectable and honorable

man. A soldier by profession, he had been the company's Director on the Island of Curaçao, in the West Indies, still in the possession of Holland. In an action against another West India island, in the service of the company, Stuyvesant had been wounded in the leg, necessitating treatment and subsequent amputation in Holland, and while there the appointment to New Netherland came to him. But with all his sturdy honesty as a magistrate and excellence as a man, his soldierly training was no guaranty that he would be any more successful in governing freemen than those who had gone before him.

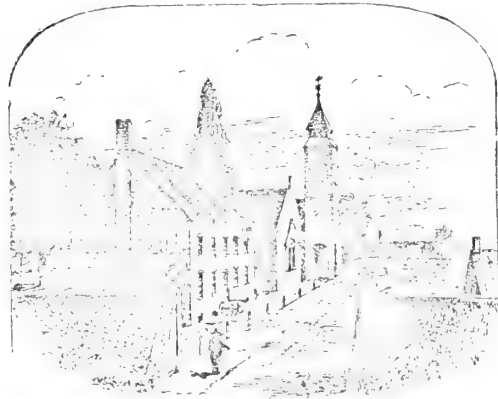
His estimation of popular rights was soon made manifest. On his arrival he said that he had come to be as a father among his children, but this relation did not augur much attention to the expressed wants or wishes of the people, if they were looked upon as mere irresponsible and immature beings, whose father naturally knew better what they needed than they did. His acts carried out the ominous promise of this spoken sentiment. Two patroons who had also become residents of the colony, brought suit against the retiring Kieft, finding abundant ground for complaint in that ex-Director's many acts of injustice.

The suit came before the new Director, who at once ended the proceedings by condemning the two plaintiffs to a heavy fine and banishment from the colony, on the simple ground that it was treachery for a subject to prosecute a magistrate, no matter how great an offender he might be. This contention was a grotesque one, especially among the citizens of a republic. The plaintiffs, of course, received immediate redress in Holland, and Stuyvesant was rebuked for his absurd ruling.

As the years went on matters did not improve. Complaints of arbitrary and autocratic measures, in utter disregard of the will of the people under his care, were repeatedly sent to the States-General. At one time Stuyvesant was summoned to Holland, but he sent the colonial secretary, Van Tienhoven, to defend him. As the one thing he could not force from the people was their money, except with their consent, his need of funds com-

pelled him at last to call a meeting of the colonists. He requested them to nominate eighteen representatives, from whose number he selected nine men, as was wont to be done in communities in the fatherland. These were to consider a scheme of taxation, which was to be imposed with their consent. But Stuyvesant did not scruple to override the decision of this body when it suited him, or when they stood too inconveniently in the way of his own measures.

The friction of authorities inflamed hearts on both sides. Adriaen Van der Donck was now a resident on Manhattan Island, and his ability as a lawyer made him a valuable leader of the opposition. He was preparing an elaborate complaint against Stuyvesant, to be sent to Holland, when, without a shadow of right, Stuyvesant ordered a search of his house and seized his papers. The nine men now delegated three of their number, headed by Van der Donck, to go to



THE GOVERNOR'S HOUSE AND THE CHURCH, 1642.

Holland in person and get the ear of the States-General. This body finally determined upon a measure whereby the authority of Stuyvesant, as Director of the Province, might be separated from that as a magistrate governing his immediate neighbors.

That is, they granted incorporation as a city to the settlement about Fort Amsterdam, which was to be known henceforth as New Amsterdam. The measure went into effect on February 2, 1653. It had been supposed that the people would be permitted to choose the municipal officers. But in this they were disappointed. The two Burgomasters and the five Schepens (a sort of Aldermen with judiciary functions) were appointed by the Director himself. The Schout or Sheriff was appointed by

the States-General themselves, and they selected Joachim Kuyter, one of the accusers of Kieft, whom Stuyvesant had banished. But Kuyter was soon thereafter killed by an Indian, and then the autocrat appointed one of his own creatures to the place.

It was about this same time that the various settlements on Long Island were organized into townships. Breuckelen and Flatlands and Flatbush had had for several years one official between them, a sort of town clerk and sheriff combined. Now to these and other towns were given separate clerks and sheriffs and schepens, or judiciary officers. And thereafter when New Utrecht and Bushwick were first occupied, provisions for town government were made from the beginning. It was the same with Newtown, Flushing, Jamaica, and Hempstead, in Queens County. These privileges fostered a spirit of self-assertion in these rural communities, which dared to measure itself with Stuyvesant's autocratic temper itself. In November, and again in December, 1653, delegates to the number of two or three from each of these country towns met at the City Hall with the two Burgomasters and one Schepen of New Amsterdam, and did not hesitate to put on record what they thought of Stuyvesant, and to forward the same to the home government.

Affairs at Fort Orange, or Beverswyck, do not call for much notice from the historian at this time. There were a succession of disputes between the Director and the Patroon's officers, as to rights of trade and matters of jurisdiction. Occasionally a strain occurred in the relations with the Indians, but peace was maintained by repeated concessions on both sides. An event of note, however, was the founding of Schenectady in 1661. Some of the denizens within the Patroonship disliked the system of feudalism to which they were subjected. No less a person than Arend van Curler himself sympathized with them, and a company under his leadership went forth westward, and, purchasing from the Indians a tract of land on the "Great Flat" on the Mohawk River, they settled at the Schenectady, or open door of the "Long

House," drawn a little further westward before this earliest march of civilization along the Mohawk.

But now, also, the long interval between New Amsterdam and Fort Orange began to be occupied at a point almost midway between the two. Van der Donck's attempt to settle at Katskill had been followed by a grant of the territory there to a Breuckelen colonist, who had rendered some service to the government; and since that Van Rensselaer's agent had bought it as an appendage to the "colonie." No regular settlement was begun there, however, as there was at "Ronduit," now Rondout, or a part of Kingston. The name was derived from a redoubt built here in 1614. No further occupation took place, nor was even the stronghold furnished with a garrison. At last, about the year 1652, a number of families escaping from the feudalism of Rensselaerswyck, took up land here on a tract called Atkar-karton by the Indians, on the Esopus River.

The Indian raids which troubled Manhattan again in 1655, interfered with progress also up here, until Stuyvesant's firm hand restored order. Again, three years later, the natives became troublesome, and Stuyvesant came up with fifty soldiers, and soon made terms with the natives. He demanded that the colonists concentrate their dwellings within a palisaded village. It was scarcely finished when the thoroughly reconciled Indians made the people a present of the whole tract. Hence the place was called "Wiltwyck" (willing, or free-will town), which obtained a charter or patent in 1661. A sheriff was appointed. In 1660 a church had been organized, and the Rev. Hermanus Blom became its first pastor.

It was on Long Island that the first intimations of the storm that burst in English conquest over New Netherland began to appear. Rumblings of the approaching catastrophe to Dutch rule had been heard time and again. Encroachments on the Delaware and the Connecticut had been scarcely held back, and the frustration of the "William's" errand only made the English more determined to press the claim which bade her owners defy

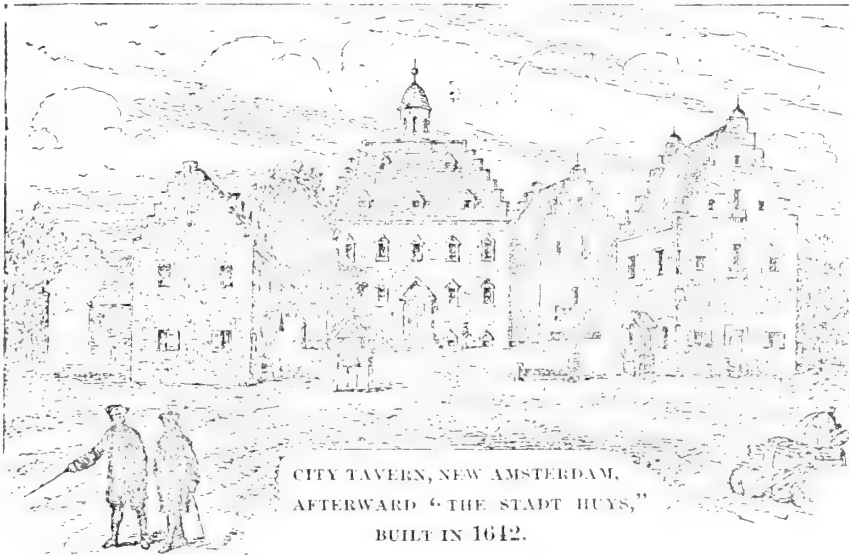
Van Twiller. On Long Island the people of New England descended at will, and organized town after town.

Already, in 1635, Charles I. had procured a grant of the whole island to the Earl of Stirling, and although agents of the Earl, who occasionally visited New Amsterdam, were dismissed with contempt or sent as prisoners to Holland, pious congregations, under the guidance of pastors, kept crossing the Sound and fixing their abode on the island on the strength of patents and grants made on the authority of Stirling and his countess. Thus a party of emigrants, recently arrived from Norfolk at New Haven, settled at Southold in 1640. In the same year Southampton was settled by a company from Lynn, Mass., who had first made an attempt to seize land on Cow Bay. Being repulsed thence by the Dutch, they rounded Montauk Point and organized a town and church simultaneously, fortified by a patent given by an agent of Lord Stirling. In 1639 Lyon Gardner bought from this same agent the island of that name, and took up his residence on it.

Thus gradually the various townships in Suffolk County were founded, and within the bounds of New Netherland, in Queens County, English towns existed under the rule of the Dutch Directors. These Puritan towns of Long Island gave Kieft, and especially Stuyvesant, endless trouble, and prepared the way very materially for the final conquest. They formed at one time a sort of confederation, of which one Captain Scott was elected "President." In the early part of 1664 this doughty Captain-President rode on a raid through the towns of Kings County, without doing much bodily harm to anybody. They were in collusion with the expedition of Colonel Nicolls, which came in August, 1664, to demand the surrender of New Netherland, the story of which is familiar. Proclamations were dated from places in Long Island, and when Stuyvesant reluctantly yielded, one stipulation was that the army of Long Islanders, ready to cross the East River, should not be permitted to aid in the reduction of New Amsterdam, nor land on Manhattan Island.

We have thus come to the end of Dutch rule over the territory

of the Empire State. That the colonists yielded without a blow, even though animated to sternest resistance by their gallant though unpopular commander, was not so much the result of the hopelessness of resistance, or a lack of resolution in the hour of danger. It was owing to the persistent mismanagement and bad faith of the mercantile corporation to whose tender mercies their fate had been committed for over forty years. A careful review of the exasperating situation of the colonies throughout these years is made by a Dutch historical scholar of eminent authority,



and may, therefore, well claim the merit of impartiality. It will, therefore, be interesting as well as instructive to observe what he says, and we will reproduce his sentiments in almost his own words, transferred, of course, to an English dress.

We have already seen how plainly he speaks of the conduct of the company in selling provisions and cattle and horses to rival colonies at a profit, which it was bound to convey to the colonists for nothing, while they were starving for the lack of these necessities. Speaking of the Colonial Government, it is rightly remarked as a terrible disadvantage that life and property and honor and liberty were unconditionally at the mercy of council

members—the creatures of the Director-General. The decree of 1639 was calculated to deter every one from repairing to a country where he was hampered in the choice of a trade, and was not free to dispose at will of the fruits of his labor.

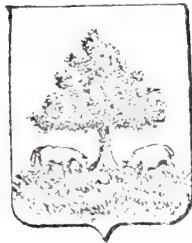
Much relief seemed to be granted by the liberal provisions of 1640. But, as we intimated, the excessive liberality raised suspicions of sincerity. The company had granted these privileges, perforce, at the urgent demands for improvement on the part of the States-General; and no sooner had compliance quieted that body, and it had withdrawn its attention to other affairs, than the company returned to its old oppressions and restrictions. The offer of free transportation was taken back even in the case of cattle. Deeds for lands transferred to colonists who fulfilled the stipulated conditions, were given to such as would agree to submit to all the former imposts and exactions. None of the liberties of citizenship and self-government which Dutchmen were accustomed to exercise at home were permitted in the colony. And when the States-General, repeatedly appealed to for redress, sought to interfere for the maintenance of right, it found itself hindered by the baneful influence of the company, even upon the deliberations of this highest legislature of the Republic. The States of Holland, through its representatives, enjoyed the greatest power here because it paid 57 per cent. of all the expenses of the Commonwealth; and the Amsterdam merchants who were in the West India Company knew how to keep this powerful delegation partial to their interests as against those of the colonists.

“Thus,” concludes our author, “the colonies remained under the rule of merchants, whose conduct was a perpetual illustration of the simple truth, flowing even from the very nature of man, that government and business do not go together. Much profit and little outlay was ever the motto of persons to whom was intrusted the management of States across the seas. Hence their defenses were neglected, emigration rather opposed than encouraged, natives oppressed, the colonists regarded and

treated as rivals. The adversities with which these had to contend everywhere, place in the clearest light that freedom of labor and of trade are a vital condition of colonial prosperity, and that the mother country in the end does injury to itself in being intent only upon its own profit, and to withhold from private enterprise important branches of industry." •

It can not be said for a moment that England's statesmen and England's merchants were any the less at fault in the application of these principles. It was, indeed, the obstinate refusal to recognize these that led finally to the Revolution. But the Dutch colonists had before them an impressive example of greater political freedom among the colonies dependent upon England. In 1643 the four colonies of Massachusetts, Plymouth, Connecticut, and New Haven had formed themselves into a league, calling itself "The United Colonies of New England." Such union was, as Professor Fiske remarks, "a tacit assumption of sovereignty on the part of the four colonies."

It argued a degree of political autonomy which was amazingly in advance of that enjoyed by the colonists in New Netherland. If England could permit such a state of things among her colonists, what might not be expected from her rule over their own benighted and oppressed province? Hence they rejoiced at the chance of repudiating the autocratic Stuyvesant, and casting off the intolerable yoke of the West India Company. It was yet to be seen whether in changing masters so eagerly they had not jumped from the frying pan into the fire.



DE PEYSTER ARMS.

CHAPTER III.

THE CHANGE TO BRITISH DOMINION.



THE men who have successively been the chief magistrates of the territory now known as the Empire State, are naturally of more than a passing interest to those anxious to become acquainted with its annals. We shall do well, therefore, in each instance to pause, however briefly, to get a glimpse of their career, both before and after their occupancy of the position which brings their names before us.

Colonel Richard Nicolls had been born in 1624, and was thus just forty years old when he seized New Netherland. He was the son of a barrister, but on his mother's side was descended from the Earl of Elgin. He was a student at the university when the Civil War broke out, and left his studies to take command of a troop of horse on the side of the King. He became attached to James Stuart and followed him through his exile on the Continent, serving with him under Turenne and Condé in the armies of France. At the Restoration such loyal attachment did not fail of its reward. Nicolls obtained a colonelcy, held an office in the Royal household, and when Charles II. bestowed New Netherland upon his brother James, now Duke of York, Nicolls was selected to carry out the scheme of conquest, and was made Governor of the territory. It must be owned that he proved a faithful and efficient servant, so far as his master's interests were concerned.

The city of New Amsterdam, and the province of New Nether-

land, were at once given a common name, that of New York, in honor of their princely proprietor. The new title as applied to the city has proved to be a sad misnomer, for although New York City is now and has been for nearly a century a *new* Amsterdam, another metropolis and queen of commerce in another republic, it never attained anything of the character of another York, a quiet, uncommercial, ecclesiastical capital. But for the province, the name New York did as well as any other.

Especially about Manhattan Island the reproduction of conditions in Yorkshire was diligently attempted. As in the English county, there were Ridings (*i.e.*, Thrifthings, Thirds), or the three divisions, East, West, and North Ridings; so there was an East Riding, equivalent to the later Suffolk County on Long Island; a West Riding, including a part of Westchester County, Newtown township of Queens, all of Kings County and all of Staten Island; while the North Riding took in the four remaining towns of Queens County. The rest of the province was presumably not sufficiently populated to be given any further civil distinctions. Nicolls was to rule it as governor, with the assistance of a council, consisting of five members. Matthias Nicolls, possibly a relative of the governor, was appointed secretary of the province, and Thomas Delavall, Collector and Receiver-General. These officers were among the five members of the Council.

Almost immediately after the surrender of New Amsterdam, a force was sent up the river to take formal possession of the settlements there. No resistance was, of course, made, and in return peaceful possession was taken. Fort Orange and its neighboring Beverswyck were renamed Albany, a subsidiary title of the Duke of York. A garrison was placed in the fort; the van Rensselaer Patroonship was not disturbed, but a new title was required to be taken out for it at New York. At Esopus new officials were appointed, and a garrison left at the fort under Captain Brodhead, the ancestor of a noted historian of the State. The captain's severity led to a revolt of the settlers here a year or two later. The village brewer, much esteemed by his neigh-

bors, and a sergeant of militia, was arrested for some trivial offense. The people became very indignant, and in their attempt to rescue their townsman one of them was killed by a soldier. Nicolls had to interfere to restore quiet, but while he censured Brodhead he did not remove him.

But while everything moved quietly upon the scene of the conquest itself, the outrage was vigorously resented by the Dutch Republic, and several years of war followed. These were the days of the great drawn battles on the sea between the English and the Dutch under De Ruyter. At one supreme moment, in



THE DAMEN HOUSE.

1666, the great Admiral sailed with a fleet up the Thames, destroying the English shipping at Chatham, and the boom of the invader's cannon was heard in London. At last negotiations for peace were entered upon at Breda, in Holland, in 1667, and by the terms of the treaty England was confirmed in the possession of New York, and Suri-

nam was given in exchange to the Dutch Republic, and both in England and Holland it was thought that the latter had the best of the bargain.

The Peace of Breda gave an opportunity for return to America to the late Director Stuyvesant, who had been summoned to Holland by the West India Company to answer charges of treason and cowardice before the States-General. With such a record as we have shown the West India Company had, in its mismanagement of New Netherland, it was not difficult to prove that these charges were ridiculous on the part of such accusers,

and Stuyvesant was fully exonerated by the States-General. He returned in 1667 by way of England, and on his passage did a last good turn for his country by obtaining from the easy Charles the privilege of direct trade between Holland and its former dependency, three ships being allowed to sail thither annually for the space of seven years. Once more at home, Stuyvesant spent several peaceful years in the bosom of his family, developing his extensive plantations, and died at the age of eighty years in February, 1672, being buried on his own estate.

In October, 1664, or little over a month after the surrender, the inhabitants of the late New Amsterdam were called upon to take the oath of allegiance to the King of England. There was at first some objection, as it was claimed that in this there was a violation of the articles of surrender, which had stipulated to leave the people undisturbed in their rights and privileges, and here was a disturbance of a most radical nature in their relations to their mother country. But it was obvious that the surrender had, by their own act, already made this change in allegiance, and they could not be subjects of the crown in fact without also expressing their allegiance in explicit form. No one saw this more clearly than Stuyvesant himself, and he led the citizens in the act, followed by the two ministers of the Dutch congregation, until soon all of the two hundred and fifty or more of landholders and substantial citizens had complied with the demand.

A more questionable proceeding was a decree of Nicolls that all those holding lands under titles from the previous Dutch colonial government, must renew them as issuing from the Duke of York before a certain date, under penalty of being forfeited otherwise. A fee was to be paid for the renewal of the title, and Nicolls needed the money that would be derived thence. There was considerable opposition to this decree, and it was with some justice claimed that here, indeed, was a violation of the Articles of Surrender. But Nicolls carried out the project in spite of the threatened rebellion.

The opposition had been most determined on Long Island, and

these towns of Puritan or New England origin kept up their reputation for turbulence and independence of spirit under many governors. Recognizing their services in effecting the conquest of New Netherland, Nicolls invited all the sixteen towns on the island to send two delegates each to a conference at Hempstead, to which Westchester also was asked to send two representatives. Before this body of thirty-four good men and true, immensely flattered by this formal summons on the part of the Royal Governor, Nicolls submitted a code of laws, known as the "Duke's Laws." These provided the establishment of higher and lower courts in proper gradation: first and lowest, the "Town Court"; next in order, the "Court of Sessions," constituted by the justices of the peace of the various towns; and highest of all, the "Court of Assize," composed of the governor, council, and the town magistrates. There was assigned a high sheriff for "Yorkshire," of which these sixteen towns and the one of Westchester formed a part, with a deputy for each of the three ridings.

The code of "Duke's Laws," besides, embraced a pretty extensive range of subjects: "It regulated the conduct of neighbors toward each other, providing punishments for angry or vituperative terms. . . . The marking of hogs, brewing, and burying, public worship, Sabbath keeping, divination, medical attendance, times for execution, marital relations, marking horses, selling liquor to Indians, and a thousand and one other things were jumbled together, and received impartial attention in these Duke's Laws."

The bucolic delegates were so pleased at having been called together, and having these laws so ceremoniously submitted to them by Colonel Nicolls, that they seemed to have missed their real import, and thought only of the honor put upon them. An address dated March 1, 1665, and signed by each of the thirty-four delegates, was drawn up, telling the Duke of York how much they appreciated the honor and how satisfied they were to be dependent on his Royal Highness, adding these fatuous

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MAJOR GENERAL PHILIP SCHUYLER.

Ph. Schuyler

words: "We do farther beseech your Royal Highness to accept of this address, as the first fruits in this general meeting, for a memorial and record against us, our heirs, and successors, when we, or any of them, shall fail in our duties." This was reckoning a little without their host.

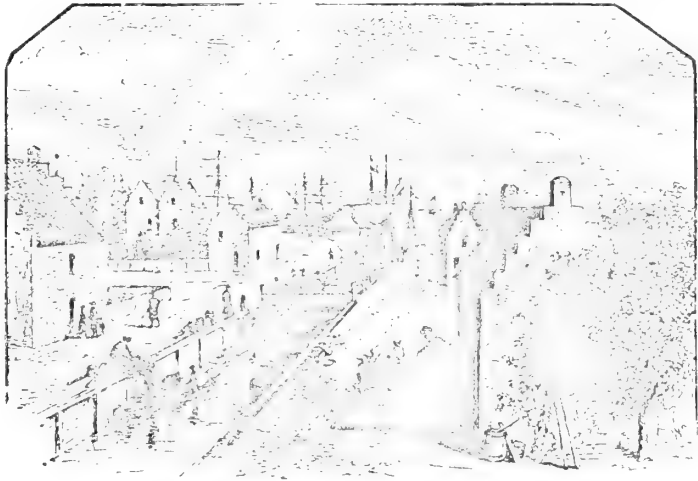
On calmer examination, when they were home again among their level-headed constituents, they found that in these Duke's Laws there were no provisions whatever for either the expression or the operation of the popular will. Officers of the towns were to be appointed at New York by the governor, as they had been at New Amsterdam by the director. There seemed not much satisfaction in the change of names. The people found that Yorkshire, with its picturesque ridings, was not to be at all like the New England Confederacy. And so there was considerable excitement in the excitable Long Island towns, and things were made none too pleasant for the obsequious signers of the address to the Duke of York.

So sharp was the criticism of them by their neighbors that the Court of Assize issued a decree threatening prosecution against those who spoke detractingly of the deputies who had signed the paper. The east end people, hailing from across the Sound, were most recalcitrant. Southampton, Easthampton, and Southold refused to receive the officers appointed for their towns, and withheld their taxes. They clamored for their free town-meetings. John Underhill, the appointed deputy sheriff for the North Riding, declared that the people were slaves. Fines and imprisonment were inflicted in Brookhaven and Flushing.

For an uncommonly long period after the occupation of New York City by its English rulers, the aspects of affairs, so far as the municipal government was concerned, remained without a change. At the City Hall, on Coenties Slip, the chief direction of city business was still in the hands of two burgomasters, five schepens, and a schout. If one could have stood outside by the open windows of the "Burgermeestery" on the pleasant days of the Indian summer of 1664, he would have heard the sturdy

tones of official Dutch with all its guttural ascendancy. Nicolls was certainly considerate of the feelings of his recently subjected colonists in this particular.

Not even when the term of the Dutch officers expired, on February 2, 1665, was the change to English forms or names effected. It was June, 1665, when this was first done. Then a mayor took the place of the two burgomasters; five aldermen were appointed in the place of the five schepens, and a sheriff was substituted for the schout. And Nicolls was happy in his choice of mayor. The first Mayor of New York was Thomas Willett,



CANAL ON BROAD STREET, NEW YORK, IN 1656.

an Englishman, indeed. But he had come to Plymouth with the Pilgrims from Leyden, in Holland, and for at least twenty-three years he had been a resident among the Hollanders on Manhattan Island, so that he was heartily one with them, and thoroughly conversant with their beloved mother-tongue. The city had attained a population of about fifteen hundred souls, and was still confined to the territory south of the present Wall Street. For several decades after the conquest that street was far up-town.

Charles II. had not only done injustice to the Dutch in his liberal grant of American territory to his brother and heir, the

Duke of York, he had quietly granted away the land of his own colonists. The terms of the donation included a large portion of Connecticut, in fact, more than half, as the boundary line of James's property was extended to the Connecticut River, and included all of Long Island. By the "Convention of Hartford" of 1650, the dispute between Stuyvesant and the English as to the Long Island towns had been settled by drawing a line along the east boundary of Oyster Bay, conceding all east of that to Connecticut. Nicolls fortunately took the part of the latter colony, and although he could not restore her Long Island dependencies, the Duke consented to limit his claims to her territory on the mainland by a line drawn twenty miles east of the Hudson River.

Another territorial decision of importance was one separating New Jersey from New York. New Netherland had at one time extended (on paper, of course) from the Connecticut River to the Delaware. Following the example of his royal brother, Charles, in giving away what was not his, James, even in June, 1664, before New Netherland had been taken, gave away the part now known as New Jersey to two court favorites, Sir George Carteret and Lord Berkeley. Of a sudden, Philip Carteret, as cousin of Sir George, appeared at New York, presenting a letter from James to Nicolls, directing him to separate New Jersey from New York, and transfer the government to the bearer of the letter. The incident is important only as marking the origin of the distinction between the two provinces, and the progress toward the definite delimitation of what we now know as the Empire State.

A glance toward a portion of the State far distant from the parts we have just been considering, and which claim such preponderating attention because of their earlier settlement, will bring to mind some interesting transactions on the soil of New York on the part of another European nation. The French, who were the first to set foot in our State, could not refrain from making frequent attempts to regain that important friendship

of the Iroquois which their pioneer, Champlain, had unwittingly forfeited. We have seen that Father Joques went as an envoy among them in 1646, and then returned as a missionary, only to be massacred. That martyrdom was only seemingly fruitless. What Father Joques and Bressani and others had told of these Indians, while it indeed appalled priests and laymen alike, did at least interest them and acquaint them quite fully with their manners and surroundings.

On the other hand, the goodness and gentleness and mysterious self-sacrifice of the missionaries they had caught and tortured and massacred, had left an impression upon the wild men. So, strangely enough, a request came to the Canadian authorities from the Onondaga nation, among whom Joques had sought to begin his work, that a Jesuit father might be sent to live among them. Simon Le Moyne promptly returned with the deputation conveying the request. He arrived in their country in July, 1653, and incidentally he soon made known to his countrymen the existence of the salt springs in Onondaga County. A few months later, with an amusing childish jealousy that a neighboring nation had what they had not, the Mohawks also asked for a missionary, and were given a share in Le Moyne's pastoral care. A few more missionaries came in 1655, and then in 1656 the French gave evidence of the real reason why they encouraged the religious enterprises.

A company of fifty Frenchmen, under the lead of one Dupuys, accompanied Father Mercier, in July of that year, carrying five pieces of cannon, which they placed within a redoubt built on an eminence overlooking the salt lake. But the occupation did not last long. The Five Nations were not to be hoodwinked in this way. Plots to exterminate the garrison of the fort were formed, and came to the commander's ears through friendly converts. He did not await their execution; at a feast which he gave the Onondagas, the liberal flow of liquor reduced the braves to a helpless condition, and when revelry was at its highest the Frenchmen sallied forth and hurried away from the perilous

spot, braving a journey in canoes among icefloes on lakes and rivers in their eagerness to retrace their all too forward steps. The mission, as well as the fort, were thus abandoned, for it was not safe for even priests to remain behind.

In 1661 Le Moyne ventured to start the mission once more, but the Indians were now much less impressionable, and although they did him no bodily harm, he found it a hopeless task and gave it up the following year. Now the French cast aside the mask of friendship. In 1665 the King, in his instructions to the Governor of Canada, declared that the Five Nations were "perpetual and irreconcilable enemies, against whom war was to be waged to their very firesides, in order to exterminate them." A fort was built at the mouth of the Sorel River, another at its rapids, a third near Lake Champlain, a fourth on an island in the lake. Four of the Five Nations weakened and were ready to treat with the French, but the Mohawks remained firm.

In 1666 General Courcelles made an incursion with five hundred men into the Mohawk country, and approached almost to Schenectady. But the Mohawks drew him into an ambuscade, and several Frenchmen were killed. Curiously enough, Courcelles, when he reached the Dutch settlement at Schenectady, was kindly cared for and refreshed; for although he had come to make war on their friends and allies, the Mohawks, yet there could not but be a tie of common humanity to bind them together in the presence of the cruel savages. When Nicolls heard of the incursion, he sent a serious remonstrance to the Governor of Canada, who replied with profuse apologies, saying he knew not the English were now in possession there. But that knowledge made no difference in his attitude the year after. A larger force than before invaded the Mohawk country again, and Nicolls, unable to send an army to their support, fortified them by the assurance that they were his allies and were fighting the battles of the English King in resisting the invasion. In 1667 Nicolls went up to Albany in person, and made the Mohawks and their confederates understand that he relied upon them to act as a barrier

against the French along the whole line of their "Long House."

The life at a frontier post in the wilderness was losing its attractions for Governor Nicolls. He had served his master well; he had been firm in carrying out the arbitrary measures contained in his instructions, yet he had been considerate and kind where he could. He asked to be relieved, and in 1668 he returned to the comforts and pleasures of court life. But in 1672 he was with the fleet fighting the Dutch again, and he met his death in the battle of Solesbay. He had never married, and no descendants represent him to-day.

The next governor under the English rule was Francis Lovelace. Another governor of that name came to New York in the next century, and it has been variously stated that Lord Love-



SEAL OF NEW AMSTERDAM.

lace was the nephew or grandson of Francis. But as Francis Lovelace, like his predecessor, was a bachelor, the latter theory will have to be given up. There was a Lancelot Lovelace in the days of Henry VI., to which both these governors could trace their pedigree. Lancelot had two sons who had descendants, William and John. From William descended Governor Francis Lovelace; from John, Governor Lord Lovelace. An elder brother of Francis was the poet Richard Lovelace, made famous by the song containing the lines:

"I could not love thee, dear, so much,
Loved I not honor more."

Two younger brothers, Thomas and Dudley, accompanied him to America.

The new governor was not a stranger to the New World. It is said that in 1652 he had procured a pass from Cromwell, with which he had traveled through the English townships on Long Island, and had thence gone to Virginia, but with what object it does not appear. He could not have been anything but a Royalist during the Civil War, or he would not now have ob-

tained a distinguished position from the Duke of York. Before he entered upon his duties, an opportunity was given him to become still more widely acquainted with the territory under his command. Nicolls had been asked to remain at his post till the arrival of his successor, and the two sailed together up the Hudson. They stopped at Esopus and made an excursion into the country back of the river, which bore fruit later in the founding of a new town in that vicinity, as we shall see. At Albany the two dignitaries left their ship, or shallop, and rode on horse-back into Connecticut, to Hartford and New Haven, calling on Governor John Winthrop. Crossing the Sound, a second visit was made by Lovelace to Long Island, taking in now also the portion formerly a part of New Netherland.

The capital of the province was not yet a town of great importance. The population had not greatly increased during the term of Nicolls, and commerce certainly had not yet begun to utilize the splendid opportunities that lay awaiting its use. In that great harbor a vessel was a rare sight. Once in a while came one of the three Dutch ships, privileged to trade here; but they were never here at one time, and of English vessels there were seen not more. If nine or ten sloops or schooners, plying between New York or Boston, or the Southern colonies, or the West Indies, were in port at once, it was a sight to be noted in letters or diaries. Yet Lovelace managed to derive pleasure from the meager circle of inhabitants. He was of a genial and sociable nature, a person of polite culture, with some poetic taste and ability. In mingling with the limited society of the town to which families of Dutch, French, and English extraction contributed about equal shares, he was astonished to find, as he wrote to King Charles in 1668, that "some of these people have the breeding of courts, and I can not conceive how such is acquired."

This congenial company he gathered into a club of ten French and Dutch and six English families, which met twice a week during the winter of 1668-1669. He gratified the Dutch element

by making and continuing as mayor during three terms Cornelius Steenwyk, who had come to New Amsterdam from Haarlem, in Holland, in 1652. The mention of this Haarlem leads the thought to its namesake on Manhattan Island, and thus to an illustration of the vast concerns which in these early days came before the honorable and exalted council of the province. "It seems almost ludicrous to read," justly observes one historian, "how, on the 22d of February, 1669, Governor Lovelace and his council, with others of the bench at New York, held a court at Harlem to consider first and principally 'the laying out of a wagon road, which hath heretofore been ordered, but never as yet was prosecuted to effect, though very necessary to the mutual commerce with one another,' of New York and Harlem."

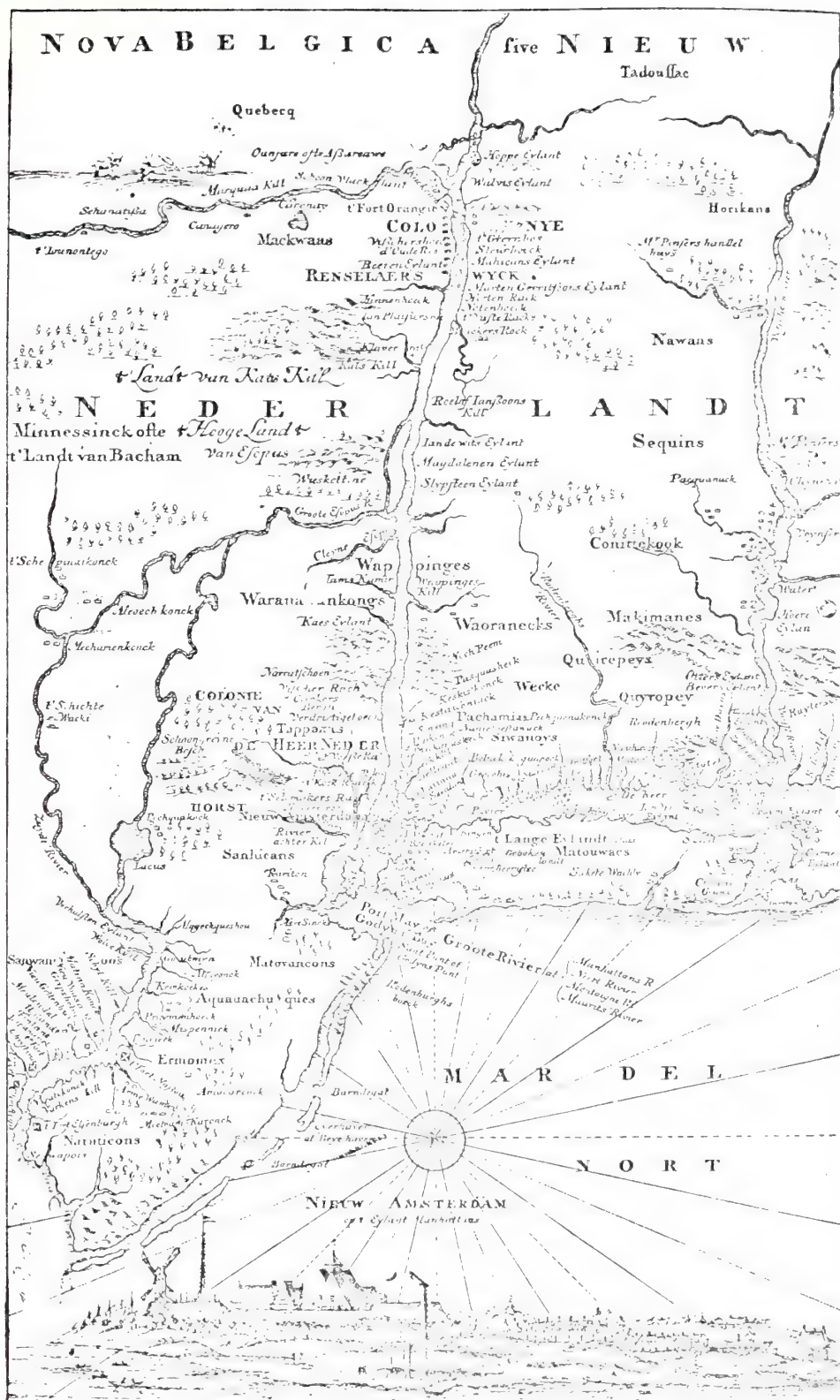
The slowly "prosecuted" road to Harlem was finished the latter part of 1672, and then Lovelace was ready with a scheme which has made his name worthy to be remembered above many a Governor of our State. This was the establishment of a postal route and service between New York and Boston. He wrote to Governor Winthrop, at Hartford, explaining his plan and the advantages thereof for all concerned, requesting his coöperation to the extent that he would "discourse with some of the most able woodmen to make out the best and most facile way for a post, which, in process of time, would be the king's best highway; as likewise passages and accommodation at rivers, fords, and other necessary places." When such facilities had been procured all along the route, to an extent that made practicable a horseback journey, it was announced that a monthly mail would start for Boston on January 1, 1673.

During the month letters might be left at the office of the Secretary of the Province at the fort, who carefully deposited them in a box, of which he held the key. On the appointed day the postman, "active, stout, and indefatigable," as he is described, and "sworn to fidelity," mounted his steady but not swift steed and rode away, his saddle-bags filled with the monthly accumulation of the secretary's box. The road to Harlem stood him in

good stead for six miles on the start; but he could not have had a pleasant or altogether safe ride beyond the Harlem River and on to Hartford. He here might change horses and be sent on the remainder of his route by the authorities there, fain to follow Indian trails, and reduced in many places to blazing his way through the forest. On his return the letters he brought were laid upon the table of some coffee-house or tavern, and handed to the parties addressed on the payment of the required postage charges.

The liberty-loving towns on Long Island naturally tried whether they could make more of the easy Lovelace than of the strenuous Nicolls in the recovery of their suppressed privileges. In November, 1669, eight towns (including East and West Chester on the mainland) took advantage of the annual meeting of the Court of Assize to present a list of grievances. In addition to this presentation of the liberties of Englishmen, of which they had been deprived, they clamored for the creation of a body of deputies chosen annually by the freeholders of every town and parish. It was urged that the promise of the institution of such popular assembly had been given them by Nicolls. This was denied, and no assembly was created. In spite of this Lovelace imposed taxes for the repair of the fort and the maintenance of the government. Southold, Southampton, and Easthampton again led in the revolt against this injustice. They would pay taxes on condition that they might enjoy the privileges of the New England colonies. They did not get the privileges; but neither did the governor get his taxes.

Staten Island has not hitherto emerged to any great extent from its prehistoric state. One or two adventurers tried to exploit it as a Patroonship in the days of the Dutch Director, and Kieft contrived to commit an outrage against the Indians on it, which was one of the early causes of the wars. Lovelace, in 1670, purchased the entire island from the Indian proprietors. A rather choice part of it he bought back from his royal master as a farm for himself, which figured later as a considerable item in the list



ADRIAEN VAN DER DONCK'S MAP, 1656.

of debts which he owed to James. This farm was where the quarantine grounds are now (although not used for quarantine purposes any more). There was a water-mill upon it, and it was comfortably stocked with sheep and cattle.

His eye for advantageous spots for farms or plantations, aided in the development of another portion of the province. We have told of his trip up to Albany and his stopping at Esopus. Back from the river he saw the tract of land now known as the town of Hurley. This name, given by Lovelace, has served to connect him with the later governor in closer family relationship than the facts warrant. The family in the line from the John Lovelace of the times of the Henrys, became Barons Hurley of Berkshire, under Charles I., but Francis Lovelace's branch of the family had no part in this patrimony. The name may have been selected merely as a compliment to the branch which had attained the peerage. He made an attempt to settle a large number of emigrants from Scotland on this territory, but it failed through the restrictions upon navigation to the colonies.

France still kept its eye on New York, and its statesmen at one time entertained the idea of getting the cession of all that had once been New Netherland from England and Holland. This peaceful project was substituted in the minds of the aggressive and able governors of Canada by a more drastic measure. It seemed practicable to them to organize an expedition to seize Fort Orange, and with this as a base of supplies to go on and conquer Manhattan Island and its well-populated surroundings. In 1671 this scheme appeared to be actually in process of execution. An expedition, under Governor Courcelles, passed up the St. Lawrence to attack the Five Nations. Lovelace fully expected that a descent would be made on New York, and great alarm was felt. But the danger passed away, and no enemies approached from this quarter.

Lovelace was destined to experience a more serious attack, however, from another quarter, and a quite different nationality. There was again war between England and Holland. Charles

II. had basely consented to fall in with Louis XIV. and help him crush forever the brave Republic which was an eyesore to despots. It was a poor return for hospitality, safety, and even financial support enjoyed by Charles when a fugitive from his own country, to deliberately rob the Dutch people of their possessions in North America in 1664. It was a still baser ingratitude to join in a scheme for their deliberate ruin in 1672. But it was not easy to crush a liberty-loving people. Louis's armies crossed the borders of Holland and penetrated to within a few miles of Amsterdam and The Hague. Then the nation turned at bay. Louis was compelled to retire, and upon the seas De Ruyter swept the enemies of his country from her shores.

He was enabled to do more than that: he sent fleets hither and thither to distant points to retaliate on France and England, and a squadron under Admiral Evertsen was dispatched to cross the Atlantic to ravage the shores of Virginia. In a New York library to-day are the original secret instructions which were given to Evertsen by De Ruyter. No. 1, dated November, 1672, directed the taking of the Island of St. Helena. This was to be done before June 1, 1673, when the squadron was to leave St. Helena, and No. 2 to be opened when again upon the high seas. Articles 1 to 5 order in detail how to proceed with regard to Virginia. Article 6 orders Evertsen to recapture New Netherland if he could, otherwise to devastate the coast. The province is not mentioned by name, but a cipher-key in another paper among these interesting original documents explains that "163" in Article 6 means New Netherland.

As a result of these orders, promptly carried out, Admiral Evertsen entered the Upper Bay of New York on July 29, 1673, convoying no less than sixteen prizes with his squadron of seven vessels. As Lovelace afterward wrote, a descent was made on his convenient farm on Staten Island, and the foe "breakfasted" on his beeves and sheep. The governor himself was away from town, seeing to some of the details of his postal route, and Captain James Manning was in command at the fort. He sent to

the fleet inquiring what they had come for. Evertsen replied that they had come for their own, and that they would have it, too, demanding the immediate surrender of the fort, town, and province. Manning asked for thirty-six hours in which to deliberate. Evertsen gave him about thirty-six minutes, at the end of which he was off the Battery ready to pour broadsides from his ships into Fort James. Manning fired one shot, and it was repaid with interest.

But meantime a force of four hundred sailors and marines, under Captain Colve, had landed at the foot of Rector Street. It was but a short run up the grassy slope to Broadway at that time, and here, turning to the right, they marched down toward the Bowling Green. At the turn of the hill an officer with a flag of truce met the attacking party, and the place capitulated. As Manning afterward showed, when he was tried for treason and cowardice, there were but four sponges and rammers; only six guns were available, for lack of platforms and carriages. It was impossible to withstand a squadron of invincible Dutch sailors with such inadequate means of defense. And so the flag of the Republic was run up over the fort once more, and the Dutch had their own again. It was a sufficient compensation for the humiliating experience of nine years ago.

A government for the recaptured province was hastily arranged on board of Admiral Evertsen's flagship, the "Swanenburg." Captain Anthony Colve was made governor. He at once restored the form of a Dutch municipality. Three burgo-masters took the place of the one mayor, and schepens and schout once more reigned at the City Hall. Military considerations predominated over every other, and in the interests of defense superfluous buildings were cleared away from around the fort to give free range to the guns; a Lutheran church being among the things condemned. Colve acted with a hand more free than his soldierly predecessor, Stuyvesant, for New Netherland was taken by the National forces and was the nation's property now, and not that of a trading company. New York



NEW AMSTERDAM IN 1656.

was named New Orange, and, as the sailor-conquerors penetrated into the interior, Esopus had its name changed to "Swanenburg," in honor of the Admiral's flagship, and Albany became Willemstadt, after Prince William Henry of Orange, who had been made Stadholder of the Republic in 1672, in the very hour of the crisis, and whose firm patriotism had led his countrymen back to safety and freedom.

Alarm spread among the neighboring English colonies, for they knew not how far the Dutch fleet might be encouraged to go on by its success in New York. But the admiral remained content with the recovery of the ancient colony of the fatherland, and soon took his squadron and his prizes back to Holland, leaving Colve in supreme command. Then some of his English neighbors prepared to dispute his possession, and Connecticut made some warlike demonstration. But Colve had been trained in an excellent school, and was so evidently qualified to carry on war with success, that Connecticut prudently quieted down. The Long Island towns likewise found that Colve had both the mind and the power to enforce obedience.

If the patriotic hearts of the Dutch inhabitants had been gratified at the turn things had taken (it is a thousand pities that sturdy old Director Stuyvesant had died only the year before), their pride and joy at the triumph of their beloved Republic was to be of short duration. The English people were ashamed of the war against Holland, if their king was not, and they compelled him to break off his unholy alliance (bought with mercenary gold) with Louis XIV. A separate peace with the Dutch was effected at Westminster in 1674, by the terms of which all conquered territories on either side were to be restored. Thus New Netherland was again to become New York, and it was stipulated that the formal transfer be made in November of the same year. In anticipation of this event, lest it might be claimed that the temporary loss had invalidated the Duke of York's title to the province, the king reaffirmed the grant by issuing a new patent in June, 1674.

There could be no question of reappointing the discredited Lovelace, who had been away from his post with a threat of attack in the air, and utterly unprepared for resisting it, even if he had been on hand. The duke, therefore, appointed a new governor, Edmund Andros, who arrived at New York with two frigates and anchored inside the Narrows on October 22. He received a delegation of Dutch citizens on board his ship, who asked and received guarantees from him that their rights and privileges should not suffer from the transfer of authority. On November 9, Governor Colve met the burgomasters, schepens, and schout at the City Hall, and formally discharged them of their oath to the Prince of Orange. On the next day, November 10, 1674 (about fifteen months after the recapture), Colve, with much ceremony, handed over the command of the province and the keys of its capital city to Governor Andros.

To emphasize the cordiality of the transfer, the Dutch captain presented his English successor with his coach and three horses, an incident which is duly and fondly related by all the historians. Colve returned to Holland, and is heard of in history no more. Admiral Evertsen distinguished himself in the service of his country in subsequent years, and it was he whose ships convoyed Prince William of Orange when he went to England in 1688 on the expedition which resulted in the overthrow of James II. and the elevation of himself and Queen Mary to the throne of England.

Edmund Andros was born in London in 1637, and had married the daughter of an English baronet. His father was Bailiff of the Island of Guernsey, and in the same year of his appointment as Governor of New York, he was permitted to succeed to the office of bailiff on his father's decease. He was also a major in His Majesty's troops, and had commanded the forces in the Island of Barbadoes in 1672. He was peculiarly fitted for his present preferment by his linguistic abilities. He spoke French fluently, but what was not so common among English gentlemen, he was equally conversant with the Dutch language. This was because,

while quite a youth, he had been made gentleman-in-ordinary to Elizabeth Stuart, daughter of James I., and wife of the unfortunate King of Bohemia, whose royalty was mainly supported by generous Dutch guilders during the years of his refuge in Holland, when driven from his kingdom and refused protection by his royal father-in-law of England. It is obvious that his acquaintance with the Dutch vernacular must have endeared him, especially to his neighbors in the capital.

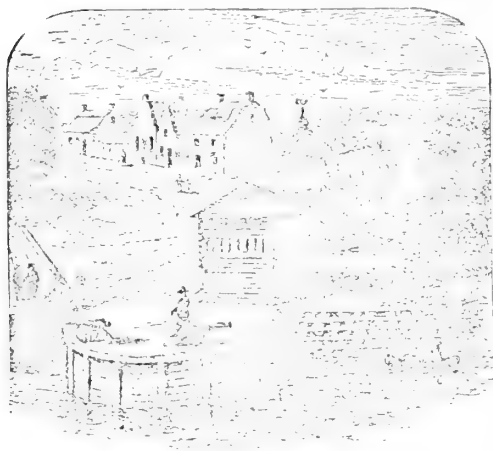
Perhaps it was this kindly reciprocal feeling which made Andros take a peculiar interest in the welfare and improvement of the little city. His name stands conspicuous above that of all other governors of the province, in the particular care he bestowed in providing for the comfort, health, and prosperity of New York, instituting measures of immediate as well as lasting benefit. He gratified the majority of the townspeople by appointing as mayors the Dutch citizens, Nicholas De Meyer and Cornelius Steenwyck. Finding that the records of the town were kept at the private house of the clerk or secretary, Nicholas Bayard, Andros at once ordered that they be removed to safer quarters in the City Hall.

The sanitation of cities in those days was very slightly attended to, if at all, and for many a decade thereafter, especially as population became larger in the next century, fevers and plagues repeatedly visited the town on Manhattan Island. The governor compelled the denizens to keep the fronts of their own houses and yards clean, and appointed inspectors to see that it was done, and that public cartmen removed the rubbish heaped up by the householders. Markets were established at convenient points under his supervision, and everything to facilitate traffic there. The canal in Broad Street, a feeble imitation of conditions in old Amsterdam, and altogether too malodorous, was ordered filled up in 1676. The citizens were banded into five companies of militia, each with its captain, and Nicholas Bayard as their colonel.

A fine wharf was constructed, stretching in semi-circular form

from the southern point of the island to a point opposite the City Hall, affording a roomy basin for the mooring of vessels, large and small, undisturbed by the turbulent tides and waves rushing past just outside. At the expense, and to the disgust of the surrounding communities on Long Island and in New Jersey, Andros established for New York City the "Bolting Monopoly," which lasted for seventeen years, caused three hundred houses to be built to accommodate the increasing population, and ran up the number of vessels engaged in New York's carrying trade from three to sixty annually.

Andros, however, with all his good feeling toward the people



THE WATER GATE, FOOT OF PRESENT WALL STREET, NEW YORK, ABOUT 1660.

under his rule, had to carry out the same measure which aroused such opposition to Governor Nicolls. The circumstances of the two governors were somewhat similar, in that the administration of each commenced with a transfer of allegiance from one sovereign nation to another. On March 13, 1675, the people of the city and prov-

ince were ordered to appear before the proper officials and take the oath of fidelity to the king. The chief citizens objected, but without good ground, for Colve had made them swear perfectly plain Dutch oaths, abjuring the king and devoting life and goods to the service of the States-General and the Prince of Orange. The municipal officers had been discharged of these oaths by the retiring governor, but that was only in their capacity as such. They, with the whole body of citizens, were as yet bound by the previous pledge, unless it were neutralized by the oath now demanded of them.

Nevertheless, about eight prominent men, who had exercised such functions as burgomasters and schepens, Cornelius Steenwyck among them, signed a petition asking to be exempted from the oath, and requesting to be permitted to dispose of their property and leave the colony, in case the governor could not grant them the exemption. Andros regarded this attitude as one smacking of sedition or treason, and promptly committed all the eight to prison. The first man to come to his senses was ex-Burgomaster Johannes De Peyster, who took the oath before the trial came on; the other seven, though convicted, were released on bail, but after a while followed the example of their fellow citizens.

The governor was not so lenient with a more respectable show of opposition on Long Island. Not quite a week after the province had been turned over to him by Colve, on November 16, 1674, Andros received a paper from John Burroughs, the town clerk of Newtown. It was a reply to his order reinstating the town officers on the English plan, and in it the grievances complained of under Nicolls were recounted in quite unmistakable terms. Andros sent back to know whether the people backed their clerk, or whether he alone was responsible for the sentiments. The town's vote on that query was so non-committal that the governor assumed that Burroughs was the responsible party.

He was, therefore, brought to New York, cast into prison from Friday to Monday, and condemned to be fastened to the whipping-post for an hour, although he was spared the indignity of a whipping. It only had the effect of making the chronic turbulence of Long Island more troublesome. Meetings were called in every township at the eastern end of the island, and the people voted unanimously that they owed no allegiance to New York, that former conventions recognized by England had assigned them as a part of Connecticut, and that their allegiance belonged there. This did not help them much, however, for Andros had been instructed to reassert the old claim to all the country west of the Connecticut, so that the latter colony had

its hands full thwarting designs on its main territory. In the course of the dispute Andros did not hesitate to sail with an armed force against the sister colony, intending to annex the whole of it to his own province.

When he landed at Saybrook he found the fort there occupied by two companies of Connecticut militia, who had come there to put down the Indians. The English flag was flying from the walls, and Andros dared not open fire. Thus the attempt against Connecticut failed, but it could not retain its jurisdiction over the Long Island towns. Somewhat in contradiction of this repressive attitude of Andros is the contention of some authorities that Andros was in favor of granting the people of the province popular representation. A petition to be allowed to choose deputies from the towns to sit in an Assembly, to whom the making of laws should be granted conjointly with the council appointed by the king, had been sent to His Majesty, addressed to him through the Duke of York. The royal brothers had no liking for such a body, and declined it with promptness and fervor. Yet it is claimed by some, in opposition to many, whose conclusions are more in accord with Andros's treatment of John Burroughs, that Andros actually advised the king to grant this assembly. It was not to be yet, but it was coming, and was due soon.

Nine days after Andros had taken over the government of the province at New York, or on November 19, 1674, there was a transfer of authority from Dutch to English officers at Albany, which regained its previous name. The old town enjoys the happiness of not having many "annals" at that time to invite the pen of the historian. It is a pity, therefore, that it must emerge from this innocuous oblivion by reason of religious disputes having a flavor of persecution. In this connection there comes to the foreground a curious personality, the Rev. Nicholas van Rensselaer. His name indicates a close connection with the Patroon family, he being the great-grandson of the first Kiliaen. He studied for the ministry and was ordained by the Classis of Amsterdam.

860-



THE END OF THE WORLD

Dr. J. P. Montgomery

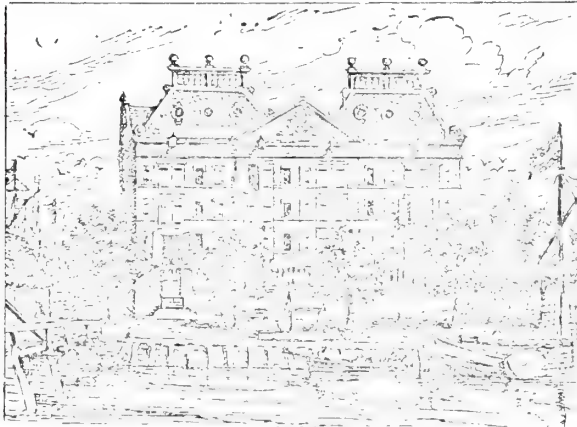
During the exile of Charles II. he spent some time at the house of the van Rensselaer family in Amsterdam, and thus he became intimate with the young divine. The latter must have been something of a dreamer, and claimed he possessed the power of foretelling the future. Charles asked him whether he could forecast his fortunes, and the Rev. Nicholas promptly did so, and assured him he would ere long be called to occupy his throne. It was natural that after the event the king felt inclined to favor the prophet, and after the Restoration the Dutch domine was made Chaplain of St. Margaret's, Westminster. In 1674 he felt inclined to go to America and settle near or on his father's estates, and the king or the duke gave him a letter to Andros, asking him to procure him a living in New York. Andros, therefore, recommended to the authorities of Albany that he be made a pastor in the Dutch church of Albany, as colleague to the one already there, Domine Gideon Schaats.

He was so accepted, but much to the disgust of the latter. He called in question his right to such position as an Episcopal clergyman, and he was forbidden to administer the communion or to baptize children. The more moderate lay officers of the church pointed out, however, that van Rensselaer was a Dutch domine before he became an English priest, whereby his ordination was made valid. A year or two later, the civil authorities imprisoned van Rensselaer for some "dubious words" he had uttered in the pulpit; but it was dangerous to touch the king's favorite, and the magistrates of Albany barely escaped imprisonment themselves on Andros's part for the act, which surely was of somewhat doubtful propriety in a free land in the case of any preacher. These incidents seem of slight importance, except as giving a glimpse of life in the primitive days of colonial existence.

There was more serious business for Governor Andros up at Albany with the Indians of the Five Nations. They had indeed remained true to their traditional hatred of the French, in spite of the sojourn of Jesuit missionaries among them; and yet it

seemed good policy to stiffen their opposition by a more decided show of friendship by the English succeeding to the position of the Dutch. Leaving his comparatively comfortable and civilized quarters at New York, Andros undertook a trip up the Hudson, stopping at Esopus on the way. From Albany he went to Schenectady, and then started boldly into the untracked wilderness, penetrating into it a distance of a hundred miles from Schenectady, as far as Utica, and even to the sources of the Mohawk River.

It must have been an experience never to be forgotten. No wonder the People of the League were gratified. A general council of all the tribes was called, for it was near the center



THE WEST INDIA COMPANY'S HOUSE ON THE
RAPENBURG, AMSTERDAM.

of their confederacy. All the pomp and ceremoniousness of the Indian nature was appealed to by so august an occasion. The sachems of the General Council sat about in a circle, the council-fire being lit in the midst. The great calumet of peace, which was in

charge of the Senecas, was brought forth, and being lit at the sacred fire, it was handed first to the governor, the supreme sachem of the white men, and then a whiff of it was taken by each of the chief sachems of the League.

Andros then rose and thanked the Five Nations for their faith and loyalty in driving away from among them the French, who had come in the wake of the missionaries to occupy their country. This opened the flood gates of Indian talk, and for several days conferences were held to accommodate the endless succession of braves who could also palaver. The Five Nations renewed

their vows of allegiance, standing upon the terms of the treaty made at Tawasentha, and assuring the English that they regarded them as having come into the place of the Dutch in that compact.

A significant incident of this conference was the formal bestowal upon Andros of the title of "Corlaer." In this way did these humble Indian friends revere the memory of a man who had always been to them the model of integrity and unshaken truth; who had often remonstrated with them for their cruelties, and fearlessly told them of wrong done; but who had always manifested a true interest for their welfare, while utilizing them in the pursuit of a profitable trade. Seven years before, in 1667, Arendt Van Corlaer had been drowned in Lake Champlain on his way to visit, by invitation, the Governor of Canada on some business relating to the Indians. The lake was called Corlaer by the Mohawks ever since.

To give more permanent effect to the alliance with the Five Nations thus happily made, Governor Andros instituted a new measure on his return to Albany. He organized a "Board of Commissioners of Indian Affairs." As secretary of this board he appointed Robert Livingston, town clerk of Albany. This name at once arrests our attention, and requires us to pause, because it introduces us to a man who founded a family whose members were prominently identified with the progress of the State of New York throughout the colonial period, and far into the days of Statehood.

Robert Livingston had come to America in 1674, and was the son of the Rev. John Livingston, who was for nine years (1663-1672) the pastor of the Scotch church in the Jacobs Straat, at Rotterdam, Holland, where he also married a Dutch lady. Robert, therefore, must have been thoroughly conversant with the Dutch vernacular. He had studied surveying, and was versed in both Dutch and English law. It did not take him long to become a man of mark in the new country. Land was easily obtained, and with such qualities and knowledge as he possessed

he could soon make it profitable, and he became a man of substance in the colony of Rensselaerwyck. The next step was office-holding, and none so well fitted to be clerk of the town of Albany as he. He, too, was the man to be pointed out to Andros for secretary of his new board, as he had soon followed up Corlaer's policy of making friends with the Indians, and understood how to deal with them.

At this time he was still unmarried; but a few years later he took unto himself as wife the widow of Domine van Rensselaer. And here again we come into contact with a race of New York men, to whom the colony and State have been much indebted for lives of noblest honor and most far-reaching usefulness to the community. The Rev. Nicholas van Rensselaer, after his arrival in this country, had married Alida Schuyler, the daughter of Philip Pietersen Schuyler, who was the founder of the Schuyler family, none the less noted in the annals of their State than the Livingstons. The original Schuyler had emigrated to America at the request of Patroon van Rensselaer. His native province was that of Gelderland. After his settlement in the "Colonie," he married the daughter of Commissary Van Schlechtenhorst, who had succeeded Van Corlaer in the management of the Patroonship.

Thus, by the development of the resources of the land, and the bringing thither of men of brain and stamina, shrewd and brave and honorable, fit to be patriarchs and founders of "houses" of a better nobility than European aristocracies can boast, the preparations were made for the advance of New York among her sister colonies, till she should stand in their midst with the crown of Empire readily yielded to her as her due. The poet well has said.

"Ill fares the land, to hastening ills a prey,
Where wealth accumulates, and men decay."

But it was the destiny of New York that her wealth should accumulate because of the fine quality of the men that were to lead her in the race to industrial and civil supremacy.

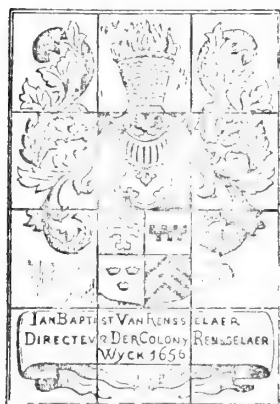
The most annoying matter that came up to sprinkle the thorns

upon Governor Andros's path, were the complications growing out of the severance of New Jersey from New York. The duke, his master, had indeed granted that colony to his two favorites, as we saw, and had withdrawn its territory, although formerly a part of New Netherland, from the jurisdiction of Governor Nicolls. But when it came to exercising certain natural rights and privileges belonging to a separate and independent proprietorship and colonial autonomy, which interfered with James Stuart's revenues, he very unreasonably put obstacles in the way of that exercise.

Governor Philip Carteret established Elizabeth as a port of entry for ships from abroad. The duke ordered Andros to seize all vessels that paid duties there. He was told that His Royal Highness was not at all inclined to let go any part of his prerogative, for favors of that kind, if now conferred, might redound too greatly to the prejudice of New York. It may be imagined how Governor Carteret regarded the seizure of vessels intended to land at his port of entry. He indignantly denied the right of Andros to act thus, urging the nature of the grant to his brother. He declared in a letter to him that if he should use any force it would be resisted to the utmost. With the duke's orders in his hand, this was tantamount to rebellion or treason, and Andros sent an expedition to Elizabethtown, who took Carteret prisoner.

The trial took place before a special meeting of the Court of Assize, of which the governor was himself the presiding officer. The letters produced so evidently showed the grant made by James to be a definite separation from New York's or his own jurisdiction, that Carteret's action in opening a port was entirely justifiable, and the verdict was an acquittal. When complaint was made against Andros before the king, he was not sustained by the Duke of York, at whose beck the wrong had been done, for it is the privilege of royalty to abandon favorites to their fate when it becomes inconvenient to assume responsibility for their discredited conduct. So the New Jersey embroilment led to the recall of Andros. At home he had an opportunity of stating

the case exactly as it was, and Charles II. had sense of justice enough to perceive that Andros had only done what his master had peremptorily demanded. He was, therefore, vindicated and was knighted for his services.



VAN RENSSELAER ARMS.

CHAPTER IV.

THE GRANTING OF A POPULAR ASSEMBLY.



HERE enters now upon the list of governors a name which deserves especial honor for the character of the man who bore it, for the important measures initiated under him, and for acts of administration in various particulars which showed ability and firmness, and conduced to the lasting benefit of the province.

Thomas Dongan had risen to the rank of colonel in the service of France, under the famous generals who carried victory and conquest far and wide for Louis XIV. He was the younger son of an Irish baronet, and was forty-eight years old when he was appointed Governor of New York. This distinction came to him as a personal friend of the Duke of York, and as a compensation for losses he had incurred in heeding the commands of the royal brothers. Having supported Charles I. during the Civil War, he went into exile with a number of Irish royalists, and a regiment having been formed of these, Dongan became an officer in it and rose to the rank of colonel.

The peace of Nywegen having finally detached England from France, subjects of the British crown were ordered to leave the latter's armies. Louis offered to advance Dongan if he would remain in his service, but he refused to do so, and then he was ordered to quit France within forty-eight hours, and the king refused to pay him a debt of sixty-five thousand livres. The King of England procured him a pension of £500 per annum, and in 1680, as an additional compensation, he was made Lieutenant-Governor

of Tangier in Africa. It may be that this rather shabby treatment of him by the Grand Monarch made Dongan all the more loyal to the interests of New York as against the French of



STUYVESANT TEARING NICOLLS'S LETTER DEMANDING THE SURRENDER OF THE PROVINCE, 1664.

Canada, when his master, James, was rather inclined to sacrifice them. Dongan was attached to the Romish faith, as was the Duke of York, but it did not make him, as it made his master, the enemy of the people's liberties.

Dongan's commission was dated September 30, 1682, but he did not arrive in America until August 10, 1683. He landed on that day at Nantasket, Mass. Crossing the Sound to Long Island at its eastern extremity, he traveled through most of those towns that had ever clamored most persistently for popular liberties, and thus they received from him at first hand the news of the great privilege in store for New York, that no laws would thereafter be imposed upon them except with the consent of a body they had been asking for for a long time.

It was on Saturday, August 25, 1683, that Colonel Dongan arrived at the seat of government in New York City. It was too late in the day for official business, and the Sunday was too sacred for secular affairs, even of this high order. Therefore, on Monday, August 27, the magistrates convened at the City Hall on Coenties Slip, and the new governor read his commission and instructions. The corporation gave practical proof of its esteem by tendering him a banquet at the City Hall on the next day, at which an opportunity was given for the governor to become acquainted with the prominent citizens of the little city, as well as with its officials.

The chief item in Dongan's instructions was the command or authority to establish a representative assembly, which should have a share in the legislation of the province. More than once during the administration of previous governors the galling pressure of autocratic proceedings, and the total disregard of the popular will, had quickened in the people the desire to have a share in their own government. The desire could hardly enforce itself in the form of a demand, in their helpless condition as a colony. But it had at last taken the shape of a petition, addressed on June 29, 1681, to James directly, and signed by the council of the province, the aldermen of the City of New York, and the justices of the peace of the various towns in the vicinity. Bancroft observes in regard to this that "prompted by an exalted instinct they demanded power to govern themselves."

But there was no exalted motive to appeal to in him whom

they wished to grant this to them. James was induced to heed the request on much more material grounds. The disaffected people held the power of the purse. They could not exercise it in withholding revenues altogether, as could be done at home in England or in Holland. But disaffection could at least make the flow of treasure less abundant, and the Duke of York began to feel the pressure of a lack of funds. Then it was that he was led to risk the "dangerous consequences," as he regarded them, of a popular assembly, but it was distinctly on the condition that "the inhabitants will agree to raise money to discharge the public debts, and to settle such a fund for the future as may be sufficient for the maintenance of the garrison and government." With the usual hypocrisy of crowned heads he declared that "the common good and protection of the colony and the increase of its trade," were his main object, while any benefits to himself were only a secondary consideration.

Thus it came about that Governor Dongan was instructed to call for the election of a General Assembly "of all the Freeholders by the persons whom they shall choose to represent them." His instructions read further, in defining the powers and privileges of these representatives, as follows: "And when the said Assembly so elected shall be met at the time and place directed, you shall let them know that for the future it is my resolution that the said General Assembly shall have free liberty to consult and debate among themselves all matters as shall be apprehended proper to be established for laws for the good government of the said colony of New York and its dependencies, and that if such laws shall be propounded as shall appear to me to be for the manifest good of the country in general, and not prejudicial to me, I will assent unto and confirm them."

The Assembly was to be a sort of Lower House as compared with the Royal Council, whose members, to the number of ten, were to be appointed by the governor. When an act was passed in the Assembly, it was yet a long way before it could claim the name or force of a law. First it had to be confirmed by the gov-

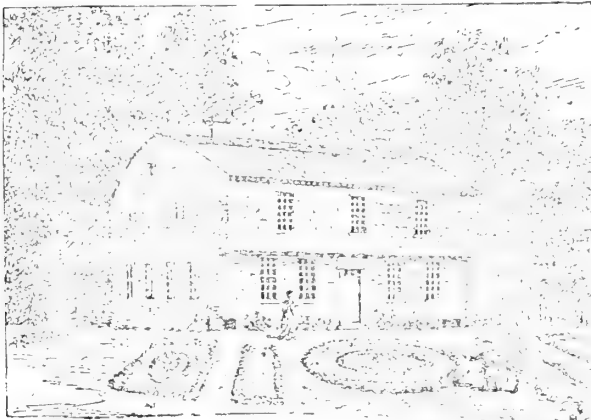
error, whose power of the veto seemed to be unrestricted. And there was a second veto power beyond. An act of the Assembly might be approved by the governor; but if it did not suit the duke, his disapproval made it null and void, yet it might be carried into effect during the interval that must occur until the duke's decision could be learned. It was popular representation in a very halting form indeed; but then it was popular representation. So much was gained at least. In the Assembly of New York "the people" met and could say that they did so, and that "the people" enacted laws for their own rule. That fact, as well as statement, were made sufficiently evident to alarm the royal brothers, who complained that such a term was "not used in any other constitution in America."

The number of the Assembly members was set at a limit of eighteen. Imperfectly districted as the province of New York was at this time, the distribution of representatives was on the following plan: To each of the three ridings on Long Island were assigned two; to Staten Island, one; to Esopus, two; to Albany and Rensselaerwyck, two; to Schenectady, one; to Pemaquid (in Maine), one; to Martha's Vineyard and Nantucket, one; to New York, including Harlem, four. Writs for the election of these representatives were duly issued by order of Dongan and his council, and when the members were returned it appeared that a majority were of Dutch affiliation or nationality. This was to be expected, for there were only the two ridings on Long Island and the half of New York to weigh up against the preponderating Dutch element in the other districts.

It was an event fraught with great consequences for the future of New York and of America, when this first representative Assembly met. Its date should not be forgotten—Wednesday, October 17, 1683. Seventeen delegates made their appearance at the governor's residence in the fort, and a room there was assigned for their sessions. There is no record of the names of the members of the Assembly, but those of the officers have been rescued from oblivion. Matthias Nicolls, who, under the governor of

that name, was made secretary of the council, and who represented New York City, was elected speaker, and John Spragg, who was secretary of the province now, was made clerk. The Assembly sat for three weeks, and they passed fourteen acts.

The first of these was the charter establishing the Assembly itself, and by which it was declared "That the Supreme Legislative authority, under His Majesty and Royal Highness, James, Duke of Yorke, Albany, etc., Lord Proprietor of the said Province, shall forever bee and reside in a Governour Councill, and The People, mett in a Generall Assembly." It then went on to add



STUYVESANT'S BOUWERY HOUSE.

"that every freeholder and freeman should be allowed to vote for representatives without restraint; that no freeman should suffer but by the judgment of his peers; that all trials should be by a jury of twelve men; that no tax should be assessed, on any pretense

whatever, but by the consent of the Assembly; that no seaman or soldier should be quartered on the inhabitants against their will; that no martial law should exist; and that no person professing faith in God, by Jesus Christ, should at any time be anywise disquieted or questioned for any difference of opinion."

This, then, in summary form, was the famous "Charter of Liberties and Privileges." Its enactment well deserved a public ceremony. On the 30th of October the last clause had been acted on and adopted, and the bill was signed by Governor Dongan, making it a law at least until the duke could be heard from. The

next day, October 31, 1683, the people were summoned by the lively blare of trumpets to appear on the open space between the City Hall on Coenties Slip and the river. They must have stood on that portion (or part of the portion) of the slip between Pearl Street and the little riverside park, for all the rest has been reclaimed from the river since. While thus assembled the charter was read in their hearing, and they learned that they, "the people," had at last been recognized as an integral part of the government; that henceforth it was to be not only of the people, *by* others, and *for* the Supreme Proprietor; but also *by* the people and *for* the people, in some real and appreciable, although limited and imperfect, degree.

A week of session remained, and other acts of importance were passed. One established courts, of which there were four in regular gradation: town courts to be held monthly; courts of sessions, or county courts, meeting every quarter, or half yearly; a general court of oyer and terminer to sit twice a year in each county; and a court of chancery to be the supreme court of the province, composed of governor and council. On November 1 an act was passed for naturalizing "all those of foreign nations at present inhabiting within this province, and professing Christianity, and for the encouragement of others to come and settle within the same."

New arrivals could readily obtain citizenship by swearing allegiance to crown and proprietor. Subjects of the king did not take naturally to emigration, and hence the law was a timely one to make subjects of those who were coming in larger numbers from other lands. During all of Governor Dongan's term not more than twenty families came from England, Scotland, and Ireland; while a great number came from France or the French West Indies on account of the persecutions preceding and attending the Revocation of the Edict of Nantes in 1685. Even the Dutch people kept coming over in goodly numbers, drawn perhaps by relatives already here. It is certain that in Holland New York was habitually referred to as New Netherland, even

in the correspondence of ecclesiastical bodies, as far down as the days of the Revolution.

A most important act of this first Assembly for the history and development of the Empire State, was the division of its territory at that early date "into shires and counties." It was divided into twelve counties, only ten of which concern us now. Two, Duke's County and Cornwall County, included respectively the islands off the Massachusetts coast, and a portion of Maine adjoining the St. Croix River, which were then "dependencies" of New York, placed under Dongan's jurisdiction, and entitled to representatives in the Assembly. These counties were detached from New York when this province and New England were placed under one government with Andros as Vice Roy, and therefore we dismiss them from our account just here. But a careful study of the ten counties into which the New York territory proper was divided will be interesting and instructive as a prospectus in brief of our State's subsequent development.

These ten counties were: New York, Westchester, Richmond, Kings, Queens, Suffolk, Dutchess, Orange, Ulster, and Albany. The nomenclature was intended to compliment various members of the royal household; the King and Queen; Charles II.'s favorite though illegitimate son, the Duke of Richmond, who later started a small rebellion against his uncle, James; the Prince of Orange, who had married James's daughter, Mary, and who with her afterward occupied the throne; while the rest of the names were applied in honor of the duke and his duchess, but unfortunately her title was spelled with a "t" until Samuel Johnson's day, and it has not quite decidedly got out of the name of the county to this day, making every conscientious writer hesitate between his duty to orthography and the demands of geography, as represented by some even very recent maps. Ulster and Albany were suggested by the Duke of York's additional titles and possessions as an Irish and Scottish peer. A sheriff was appointed to serve one year in each of the counties.

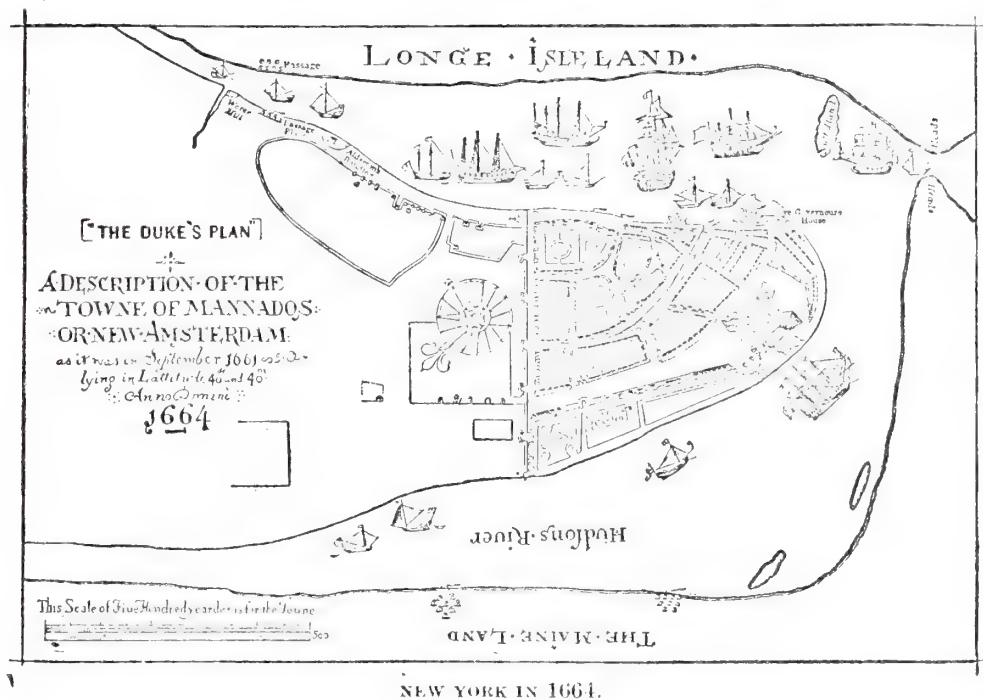
The six counties immediately about the seat of government

have remained unchanged until to-day New York, Richmond, Westchester, Kings, Queens, and Suffolk, familiar as they are to us now, received their limitations at once as they have ever been; unless we except Queens County, a part of which was annexed to New York City in 1898 as the Borough of Queens, which made it expedient to erect the remainder into a separate county appropriately named Nassau, in memory of the name officially applied to Long Island in 1693, in honor of King William III., who was also Prince of Orange and Count of Nassau, but which was never ratified by popular usage and faded away long ago. But when we get north of Westchester, the old counties in their division into later ones tell an interesting story. Du(t)chess yielded a portion of itself, which became Putnam County in 1812. Orange was drawn upon earlier, and out of its lower triangle was created Rockland County in 1798. As we go higher up more multiplied development is met with, and we find Ulster yielding a piece of itself to form part of Delaware County in 1797, and another to form part of Greene in 1800, while the whole of Sullivan was severed from it in 1809.

The study of the partition of the Albany County of 1683 is especially suggestive. By following this we get at once a forecast in outline of the history of the progress of our State, which remains, of course, to be told later more particularly. Albany in 1683 will be seen to have covered practically all the remainder of the State, after culling out the nine counties with their boundaries as then defined. In 1786 Columbia County was taken from it; in 1791 Rensselaer and Saratoga counties; in 1795 Schoharie; in 1800 a part of Greene; and in 1809 all of Schenectady County. In 1772 there was formed from Albany what was called Charlotte County then, but which was rechristened Washington County in 1784. It included all the great northeast corner of the State, far out of it were parceled Clinton County in 1788, and Warren County in 1813, the former becoming in turn Essex in 1799, a part of St. Lawrence in 1802, and Franklin County in 1806.

And now, turning to the west, we shall find that Albany had

a very extensive reach. Again in 1772, there was formed Tryon County, which, after the Revolution, in 1784 was renamed Montgomery. From this were partitioned successively Ontario County in 1789; Herkimer, Otsego, and Tioga Counties in 1791; St. Lawrence County in 1802, Hamilton in 1816, and Fulton in 1838. But the four earlier counties meant a good deal more at first than their names imply now. Herkimer County embraced all the great "middle west" of the State, being resolved subse-



quently into Onondaga (1794), part of Chenango (1798), Oneida (1798), and St. Lawrence in part (1802); of which Onondaga became Cayuga in 1799, and Cortlandt in 1808, while with Oneida it helped to form Oswego in 1816; Oneida also furnishing Jefferson and Lewis in 1805.

Going back to the original Montgomery we find that the portion set off as Tioga County in 1791 covered what in 1806 was organized into Broome County, as well as what in 1836 became

Chemung. But the old Montgomery included also all of the "far west" of the State; for what was earliest separated from it and called Ontario County, became Steuben (1796), Genesee (1802), Livingston (1821), Monroe (1821), Wayne (1823), and Yates (1823). Of these Genesee included all the furthest western territory which has since been divided into Allegany (1806), Cattaraugus (1808), Chautauqua (1808), Niagara (1808), Orleans (1824), and Wyoming (1841) counties; of which Niagara yielded Erie in 1821; while Steuben gave up a part of Schuyler, the youngest county of the State, in 1854, which also drew portions from Chemung and Tompkins. While we may not have taken the opportunity to mention every one of the State's counties in this review, the above will show how the disintegration of the original counties went on, and that even in 1683 a pretty clear conception was entertained of the territory constituting the then province, and later State of New York.

Governor Dongan's term stands forth as an epoch-making one for another important reason. It was under him, and sufficiently through his instrumentality to reflect some credit upon him, that New York City became a chartered corporation after several previous decades of existence as a city, and that Albany became a city and was chartered at the same time. Among the instructions which Dongan bore with him on his way to the governorship, was the one requiring him to consider and report what it would be desirable to grant to the City of New York in the way of "immunities and privileges beyond what other parts of my territory doe enjoy." The shrewd officials of New York were not slow to take note of this item, and saw to it that Dongan should be abundantly assisted in his "considering."

For nearly twenty years now New York had been an English city, so far as the form of government was concerned, there being a mayor and aldermen and a sheriff, just as Nicolls had instituted that system in 1665. But all these officials were appointed absolutely by the governor without any regard to the wish of the people, except as the governor chose to defer to this unex-

pressed by the selection of popular and efficient magistrates. But the people in England usually had something to do with the election of their aldermen; and the city needed more officers than those cited above. Hence the mayor and aldermen in office at that time addressed a petition to Governor Dongan the day after the Provincial Assembly adjourned, or on November 9, 1683, asking that a charter be extended to the city, securing some of these changes in the administration.

Governor Dongan could not have been unfavorable to the request, but doubtless many formalities had to intervene, and the duke needed to be consulted, and his consent obtained, before the charter could go into effect. At any rate, it was not until April 27, 1686, that the document, duly signed and sealed, was handed over to the city authorities. It added to the offices of mayor and sheriff, those of recorder, clerk, and chamberlain. These were to be appointed by the governor: the mayor and sheriff annually, the others to hold office during his pleasure. Then it was provided that the city be divided into six wards, in each of which the people were to elect an alderman and an assistant alderman annually.

At this time New York was but a little city as yet. Its population numbered scarcely three thousand. The whole of the space divided into five of the six wards lay south of Wall Street, and the streets were by no means crowded with houses. The Sixth Ward was indeed imposing in size, embracing all the rest of the Island of Manhattan; but the population was extremely limited here, and no where was there a collection of inhabitants large enough to be dignified with the name of hamlet, except at the northeastern extremity where Harlem had grown into a village, yet by the provisions of the charter was even thus early made a part of New York City.

The commerce of the capital did not as yet foreshadow the great things to come. There were only a few great trading ships that visited the harbor, coming from England or the West Indies, other vessels of large burden and great spread of canvas might

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Marinus Willett

be occasional privateers running in for supplies, and then out again to cripple the commerce of opposing belligerents, for the nations of Christendom were in a chronic state of warfare then. The commerce between the colonies was represented in New York harbor by less than a dozen vessels of three masts, but small tonnage, not exceeding eighty or one hundred tons. Sloops of twenty-five tons were most plentiful, there being about a score of them, of which a fleet to the number of five was engaged in the trade up the Hudson, to Kingston or Esopus, and to Albany.

This place of earliest settlement had been passed in the race for municipal being by the more advantageously located New York. It had been a mere trading post, then became something more of an agricultural center, and under the guidance and encouragement of the van Rensselaers had advanced from a hamlet to the proportions of a village. Some of the people, however, chafed under the extreme paternalism of the Patroon system, and so they escaped to Schenectady, founding this under the lead of Van Corlaer, as we saw; while others at a somewhat later period went down to help build up the towns near the Esopus. Albany was not much more than a village now. Ten years later, or in 1695, it numbered two hundred houses, which makes it safe to calculate for it about a thousand souls for a population. It must have been considerably below this figure in 1686.

This did not prevent the people from aspiring to be a city, and surely New York's proportions were not such as to make it much more worthy of this dignity. The aspiration was all the more justifiable, because in giving a patent for Rensselaerswyck in 1685, there had been no care taken by the government to exclude Albany from the jurisdiction of these private owners. A committee of the council induced the patroon to relinquish a strip of territory one mile wide, measuring north and south, and stretching sixteen miles west from the river. This land was now assigned to the corporation of Albany in the charter which Dongan granted it in 1686, and which made a city of the "ancient town" of Beverswyck, or Willemstadt.

The shape of the commonalty actually occupied, and walled or palisaded, was triangular, with its base on the river and its apex opening toward the ancient Fort Orange on the hill where the Capitol stands now, the circumference measuring not more than six furlongs. The streets were not paved all the way across, but sidewalks on a level with the central roadway extended eight feet from the line of the houses on either side. There were only two principal streets: Jonkaer, Jonkheer, or Yoncker Street, represented by State Street of to-day, and running about half way up the steep hill; and Handelaer (Merchant) Street, now Broadway. The earliest church, built in 1642, had been replaced by a new one in 1656, which in turn was followed by a more ambitious structure in 1715.



DE SILLE HOUSE, LONG ISLAND, 1668.

This stood until 1806 on the old site, in the middle of the road at the intersection of State Street and Broadway.

The charter gave to the city of Albany a mayor, a recorder, a clerk, a sheriff, a chamberlain, and a marshal. Here, as in New

York, these offices were to be appointive, the mayor and sheriff being appointed annually, the others to hold during pleasure. The city, like New York, was divided into six wards, and each ward elected its alderman and assistant alderman. One of the first group of aldermen thus elected is of interest to all Americans, because he was John Wendell, and the ancestor on the maternal side of Dr. Oliver Wendell Holmes. The first mayor was Peter Schuyler, and he was reappointed for eight successive years. The first city clerk, as we might naturally expect, was Robert Livingston.

In following his fortunes we come upon the track of the development of the State in the direction of the lower sections, where wide gaps of unoccupied country keep staring us in the face long after the incorporation of these two cities at either end of the

navigable Hudson. "Gifted with remarkable acquisitiveness," as Brodhead puts it, "and enjoying peculiar official advantages, he learned that there were valuable lands on the east side of the Hudson, just below those of the van Rensselaers, which had never been granted by the government of New York." It was not difficult for him to obtain a grant here, and thus began the history of the famous Livingston Manor, which extended from a point opposite Catskill to a point opposite Saugerties, and eastward to the boundaries of Massachusetts and Connecticut.

There was, however, another place on the way down to New York which doubtless also imagined that it might soon lay claim to being incorporated as a city. In the vicinity of the Esopus Creek, emptying into the Hudson about ninety miles from Manhattan and sixty below Albany, three towns had come to be established since the conquest by the English. In 1669 commissioners were sent up there and organized the village of Marbletown, named so from the blue limestone abounding there; and to a village or township which the Dutch had called Nieuwdorp (New Village) they gave the name Hurley, as we saw before, in compliment to the baronial seat belonging to the branch of the Lovelace family which had been raised to the peerage. At the same time they changed the name of Esopus and called it Kingston, in honor of Governor Lovelace's mother, whose family had a seat at Kingston in Berkshire.

Prosperity marked these three villages, thousands of bushels of grain were annually raised and exported thence, and good fortune brought increase of population. As yet, however, no thought of incorporation as a city possessed the people here. But they did think in the old Esopus, or new Kingston, that they were entitled to more direction of their own town affairs. So, early in the year 1684, with so many innovations and privileges going about, and the County of Ulster just newly organized, the villagers met together and signed a petition, drawn up by some of their trusted leaders, "humbly shewing" that they would like to have the privilege of electing their own town officers.

It does not look like a very revolutionary demand. The Long Island towns, even in Stuyvesant's day, had elected a double number of officers, from whom the director chose the incumbents. Yet these petitioners up in Ulster County, under the mild and beneficent reign of Dongan, bearing in his hands all sorts of extensions of privilege, found themselves incontinently clapped into jail, and then fined and bound over to keep the peace. The ground for these summary proceedings was that in submitting their humble petition they had committed "a riot." "Acknowledging that they had been 'ill advised,'" says Brodhead, "they were relieved"; but whether from the jail or the fine he does not say. And, strangely enough, the historian makes no comments, as if he quite agreed that these honest townfolks, including possibly some of his own ancestors, were nothing but a low rabble of "rioters."

Another event that makes Governor Dongan's term memorable, was the elevation of the proprietor of the province to the throne of England, making considerable alteration in the position of the colony, and rendering it one not altogether favorable to the prosperity and happiness of the inhabitants. In February, 1685, Charles II. died, and, having no legitimate children, his brother James, Duke of York, succeeded him as king. Thus at once New York became a dependency of the crown, and ceased to be a proprietary government. It was a matter of gratification to the people, the glamour of royalty being a very real thing in those days. It identified them more closely with the realm to be a crown possession, rather than the private property of a subject, however exalted. And if James had been so gracious in granting "privileges and immunities" when he was but a duke, and his will was not supreme, but must be made to accord with that of the reigning monarch, surely now that he reigned himself, the way to the most liberal devices for his people being unobstructed, would be all the more eagerly pursued by him.

But the people of that day had not the advantage of studying

James's character and motives that subsequent generations have enjoyed. His liberal views on the subject of religious toleration were the outgrowth of his own precarious position as heir of the crown, and an adherent of the Romish faith. And that same precarious position as to the succession caused him to accede to measures desired by his colonists which he abhorred in his secret heart, but the granting of which would conceal from view his real attitude as to popular rights, and make him more tolerable to the English nation as a prospective king.

It was not long before the dull and narrow nature of James revealed its secret attitude on the question of popular representation in his American province. Soon after he had become king he was present at a meeting of the Plantation Committee, and it was at this time that the observation was made that the phrase "The People met in General Assembly," was not found in any other colonial charter. The "Charter of Privileges," passed by the first Assembly and signed by Dongan, was now up for approval. James did not abrogate it directly. He did not repeal it, but he declined to confirm it, and he had no intention that it should be a lasting institution. By some of the instructions he sent to Dongan, in what amounted to a new commission, necessitated by the change in his position in the realm, he really made the Assembly nugatory, and its enactments of small account. "As to the government of New York, His Majesty is pleased to direct that it be assimilated to the constitution that shall be agreed on for New England, to which it is adjoining." But that New England constitution *in posse* possessed no such feature as a popular assembly. "And in the meantime," the king directed "Colonel Dongan, Governor of New York, to pursue such powers and instructions as he shall receive under His Majesty's signet and sign manual, or by order in council, until further order."

The plain intent of such orders have naturally enough led some authors to state that the "Charter of Liberties" was repudiated out of hand, and that the Assembly was abolished. It might as

well have been, for soon a direct tax was imposed without the trouble of asking the Assembly to pass upon the measure. Among other characteristic injunctions sent out to Governor Dongan, was one entirely worthy of the source whence it proceeded. It was expressly forbidden him to allow the setting up of any printing press within the province of New York. Ignorance is not only the mother of devotion; it is also that of unquestioning submission to despotic power. James was far-seeing enough to know how much this ignorance would serve the purposes he had in view. Only he miscalculated the age in which



THE KIP HOUSE, 1673.

he lived by a couple of centuries.

The General Assembly of "The People" was not abolished at once; it went on by default of positive prohibition for a while. The second Assembly met in October, 1684; Matthias Nicolls was again elected speaker, and thirty-one acts were passed, and being signed by the governor, they became laws. It adjourned to meet in September, 1685. But in the meantime had occurred the change in the occupants of the

throne. This event seemed *per se* to have been the dissolution of the body as previously constituted. To leave no doubt upon its validity, Dongan, by the advice of the council, dissolved the original Assembly by a proclamation dated August 13, 1685, and four days later writs were issued for electing new delegates to meet in New York on October 20.

On that day the third Assembly met, and William Pinhorne was chosen speaker. It did not achieve nearly as much business as its two predecessors, and the governor's approval by no means covered all its enactments, as heretofore. Only six bills became laws. Three bills failed to get the governor's signature.

When it adjourned, it did so to meet in September, 1686. It never met again. Prorogued for six months ere it assembled at the time appointed, by proclamation of Governor Dongan, on January 20, 1687, it was dissolved altogether, and no writs for a new election issued. The old régime came into operation again; the governor and council imposed the taxes and framed the statutes for the people, without asking after their will or wish in the premises. But there were better days coming. Popular representation was not so easily killed. "Taxation without consent" was not a process under which either Dutchmen or Englishmen could rest quiet and content.

Turning now again to a branch of the history of New York which must have a large share of our attention during these earlier periods, we shall find that distinction once more belongs to the governor whose name is so prominently identified with the introduction of popular representation. The historian, William Smith, earliest to write the annals of the province, says that Dongan surpassed all his predecessors in his attention to Indian affairs. The first occasion to deal with the question of the relations with the Indians occurred in June, 1684, when a distinguished visitor arrived in New York City. It was no less a person than Lord Effingham, the Governor of Virginia and Maryland, attended by two members of his council. The arrival of a peer of England created quite a stir in the little capital, and the magistrates were not slow to offer Lord Effingham the freedom of the city in the usual ceremonious manner.

But the governor of these southern colonies came not on a visit of ceremony. He came to propose unison of effort in the punishment of Indian raiders, to enter upon a war against the Iroquois. This was, of course, out of the question in New York, where the English had succeeded to the terms with the Dutch at the treaty of Tawasentha, and where friendship and alliance bound the Five Nations to the inhabitants against the ever present menace of French invasion. Therefore, Dongan transformed Lord Effingham's warlike errand into a mission of peace.

Three of the Five Nations—the Onondagas, Oneidas, and Cayugas—probably in pursuit of some tribes at the south, had committed depredations upon the white settlements along the northern boundary of Virginia and Maryland. The Governor of New York invited Lord Effingham and his councilors to go up to Albany with him, and there meet representatives from the Iroquois League. To this he consented, and the conference took place on July 30, 1684.

Delegates were present from the three nations who had given the trouble, and also from the Mohawks. The Senecas did not arrive till after it was over, because of the distance they had to travel, but they at once confirmed what had been done. Terms were agreed upon, and a peace concluded, attended by the symbolic ceremonies that the Indian nature loved so well. Five tomahawks were buried, representing Virginia and Maryland and the three offending nations; then was sung a song, and the orators grew eloquent over the planting of a tree of peace, whose tops should reach the sun, and its branches shelter the wide land.

It was really a most significant meeting, and Bancroft, with justice, recognizes in it one of the first tendencies to union among the colonies. For not only were here representatives from Virginia, Maryland, and New York, but Massachusetts also had had trouble with the League, and Dongan had secured the presence of an agent for that colony. The pacific branches did indeed shelter a wide land. As Bancroft remarks, "The treaty extended from the St. Croix to Albemarle." No wonder the Indians were thankful to Dongan for the mediation which confirmed them in their friendship of the whites, not only of New York, but of these other colonies. They were all the more ready to stand in the way of French aggression.

They gave many practical evidences of their regard for Dongan. Before the conference broke up they had put upon white dressed deerskins their totemic signatures to the formal acknowledgment of Charles II. as their sovereign, or great sachem-in-

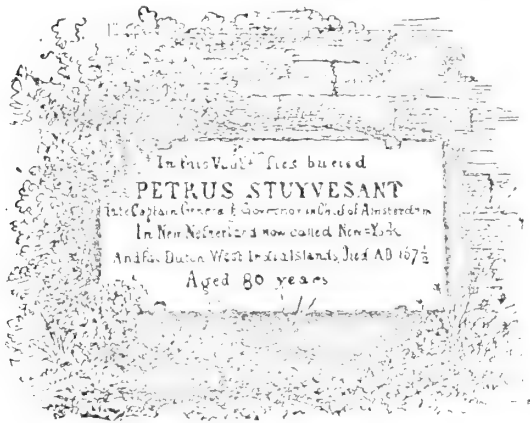
chief. And all the territory about the headwaters of the Susquehanna River, above Wyalusing Falls, was freely granted to New York Province. This was of especial significance, because upon his arrival in the previous year, Dongan had been compelled to act promptly in order to head off an attempt on the part of William Penn to secure the upper Susquehanna Valley. Penn and two agents were actually at Albany trying to arrange the purchase of this tract when Dongan reached New York City. He repaired to the same place less than two weeks after he had been inducted into office.

The Albany authorities assured Dongan that there was "nothing more prejudicial to his Royal Highness' interest and the inhabitants of this government than this business of the Susquehanna River. The French, it is true, have endeavored to take away our trade by piecemeal, but this will cut it off at once." The governor, therefore, hastened to interrupt Penn's transaction. The following October some of the Mohawks visited Dongan at New York and they promised then to give the Susquehanna region to the Duke of York. This promise was now fulfilled at the treaty of 1684; and when Penn renewed his efforts to purchase the tract he was met with the information that they could no longer dispose of them. It is asserted that Penn revenged himself upon Dongan by using his influence with James, when he had become king, in prejudicing him against the governor.

In order that it might be evident to all concerned that the Indians of the Five Nations had made themselves voluntarily subjects of the English king, they wished Dongan to permit them to attach the arms of the Duke of York to each one of the five "castles," or palisaded villages, where the several nations had their headquarters. And in the exuberance of friendship they gave the name of "sixth castle" to Albany. For the mutual benefit of the Indians and the people of Albany, Dongan adopted a liberal policy in regard to trade with the Indians. He gave passes to young men of courage and enterprise to go

among the Indians near the Niagara and induce them to send their peltries to Albany instead of to Canada, and as a result the Senecas brought ten thousand beaver skins there. And, seeing the necessity of preserving so valuable a trade, by the protection of the Iroquois from the constant attacks of their hereditary enemies, the French, he sought to make it plain to those high in authority that forts should be erected, well provided with men and guns, at such points as Ticonderoga, the mouth of the Oswego, and the shores of the Niagara.

Maintaining friendly relations with the Iroquois was tantamount to defying the hostility of the French of Canada. Con-



STUYVESANT'S GRAVE, 1672.

stantly were the Five Nations in collision with the French. War parties of the savages would carry desolation and death among the natives in alliance with them, or upon settlements of whites themselves. And then in return a raid would be made into the Iroquois country in New York,

led by French soldiers. Against such incursions Dongan protested, asserting that the people of the Five Nations were subjects of the King of England, and the French governors would deny their right to be so regarded. By a seeming contradiction the authorities of Canada would persist in sending missionaries among the Iroquois. But it was not so much in order to convert their souls as in order to convert implacable and irrepressible enemies into allies and profitable traders.

When this result did not follow, the missionaries were quite as readily utilized to lure the Indians to their destruction. Thus Governor Denonville, in 1687, employed Father Lamberville to

decoy a large number of Iroquois sachems into a palisaded fort at Onondaga Castle, whereupon fifty of the chiefs were seized, put in irons, and sent to France to languish in the chain-galleys at Marseilles. This only drove the Indians to a more desperate enmity of the French, rendering them more than ever a bulwark against French aggression. Before this Dongan had interrupted the scheme of the French to invite trade with Canada by the good work of their missionaries, by substituting English Jesuits for those sent out from France.

A still bolder invasion of the field which the Canadian authorities thought peculiarly their own, was initiated by the foresight of Dongan. A Canadian refugee named la Fontaine, familiar with the trade routes of the far West, whence immense quantities of furs were drawn to Montreal and Quebec, was given a pass authorizing him to go into those regions and trade with the Indians in the interest of England. But Dongan prudently arranged that the Frenchman should not go alone. With him was sent Captain Rooseboom, of Albany. The party they organized and led traveled for three months, reaching the Ottawas and Miamis at their home villages, and driving most satisfactory bargains. Rooseboom (whose name should have been Roosevelt) was urged to come every year; and he was assured that if he would persuade the Senecas to let them pass through their country they would come to Albany themselves.

These various dealings with the Indians, so well calculated to cement their important and valuable friendship, and to improve trade conditions for New York, were very grievous to the French authorities of Canada, who complained to their king, and who in turn remonstrated with James. The latter's interests were so deeply involved in keeping on good terms with Louis, that he deprecated the strained relations in America. He was constantly sending out instructions to Dongan with regard to Canada and missionaries, which would have done serious injury to the people of New York had the governor carried them out. He preferred to evade them, and risk the king's

displeasure, rather than jeopardize the lives and interests of the inhabitants of his government.

This could only result in Dongan's recall. It was also necessitated by the new plan of dominion for his colonies which had taken possession of James's mind. In carrying out this plan measures would have to be instituted (especially the abolition of the popular assembly) which would upset things which Dongan had at first been made the instrument to bring about, and for the establishment of which he had proved only too willing and sympathetic an instrument. Under this new arrangement, therefore, Governor Dongan was succeeded by Sir Edmund Andros, whom he had himself succeeded in 1682, the date of the latter's appointment being March 23, 1688.

Dongan did not immediately return to England; he remained to improve various pieces of property in different parts of the province, particularly on Manhattan, Long, and Staten Islands. He at first retired to a farm at Hempstead, on Long Island. But later he went to reside in a manor house standing on a manor of twenty-five thousand acres which he had purchased on Staten Island, in the town of Castleton, named after his family's estates in Ireland. During the Leisler troubles this place was searched, and he was compelled to flee to England in 1691 in a brigantine of his own. He made his peace with King William III. and became Earl of Limerick on the death of an older brother. He died a bachelor at the age of eighty-one years in 1715. The property on Staten Island was left to nephews, and remained in the possession of their descendants until the year 1802, when it was sold to Alexander Macomb, the owner of the house on Broadway, New York City, which had been Washington's official residence while President.

Sir Edmund Andros occupied a much more exalted position in 1688 than the one he came to assume in 1674. He had come to Boston as Governor of New England in December, 1686; as such it was not enough that he should govern Massachusetts; Connecticut must surrender her charter, and on October 31, 1687,

Andros assumed the government of that colony also. But even yet the scheme of government now on the carpet was not complete. New York and New Jersey must likewise be added, and, this effected, Sir Edmund Andros was made Governor-General, or Viceroy, of a realm splendid at least in its territorial extent, and grandiloquently designated as the "Territory and Dominion of New England in America," which, including all of British North America north of "our Province of Pennsylvania and Country of Delaware," stretched clear across the continent from the Atlantic to the Pacific.

We are in some danger of losing sight of the identity of our own State in this vast consolidation of territory; and the people of that date felt about it in very much the same way. "The people of New York," Brodhead finds from the records he accumulated abroad, "were not generally pleased that their province should lose its individuality. . . . Geographically, politically, and socially New York was unlike any other British possession in America. . . . Her people cherished a magnanimous State pride, not surpassed by that professed in any of the colonies by which she was surrounded." To use their own expression, they felt their position in the grand "Dominion," to be an "unmerited state of degradation," and abundant cause for a "just dissatisfaction."

The governor-general was to be supported in his administration of so many lands and so few people by a council of forty-two members, a combination it would seem of the councils of the various colonies. Andros was not restricted to any one place as his capital or seat of government, but as he could not be present in all of the consolidated provinces at once, he usually appointed a lieutenant-governor in the ones he was absent from to represent him there in meetings of the local council. So in this way we begin to see New York emerge once more into a sort of faint and reflected individuality, with Colonel Francis Nicholson as its lieutenant-governor, and a council composed of Frederick Philipse, Stephen Van Cortlandt, Nicholas Bayard,



NEW YORK, IN 1673.

and Anthony Brockholls. As Andros himself was compelled to make his headquarters at Boston in order to quell an outbreak of Indian hostilities in Maine, this arrangement went into effect for New York on October 1, 1688.

At that very time the ships of a Dutch fleet and a formidable army were collecting on the coast of the North Sea in Holland, to convey the Prince of Orange to England, where he landed on November 5, and was crowned king, with Mary, the daughter of James II., as reigning queen with him, in February, 1689. The news of the various steps in this revolution came to America at various times successively from February to April, until on April 14, 1689, the information reached Boston that William and Mary had been crowned in the place of Mary's father, who had fled to France, and by the flight was considered to have abdicated the throne. Andros was at once seized by the people of Boston and imprisoned on the charge of tyranny and maladministration.

To New York came the exciting news from England, accompanied by the no less exciting account of its effects upon the Boston people. Nicholson had reason to expect an equally sudden and unceremonious deposition. The people did not know what to expect from the officers of the deposed king. Would they, too, consort with France? If so,

that would be peculiarly perilous for the province of New York, with the black cloud of invasion and rapine ever hanging over the northern border. Neither were the council, made up of natives of Dutch affiliation, quite to be relied on. At the announcement of the birth of the Prince of Wales, claimed to have been a deception practiced by James II., and which would have forever barred the Prince of Orange and his wife and a Protestant succession from the throne, unseemly glee was manifested by Councilor Stephanus Van Cortlandt, who, at a banquet in honor of the event, set his hat and periwig on fire, and swung them about his head on the point of his rapier.

At this crisis the lieutenant-governor showed tact and good sense. He offered to let the local militia guard the fort. There were five companies, as was stated in the preceding chapter, and it was arranged that the companies should mount guard in turn on successive nights. Thus all went well until Nicholson upset what he had so prudently secured. On the night of May 31 he objected to the posting of a certain sentinel, and wished to know by what authority he was placed there. He replied that he was there by the appointment of the lieutenant of the militia company, whose turn it was to keep guard that night. Nicholson's temper at once got the better of his prudence, and he exclaimed that he would rather see the town burned than submit to an officer of militia.

He could not have used a more unfortunate expression. A rumor, foolish and wildly improbable, it is true, but of great potency for alarm, had it that the "papists" in the city (you could count them on the fingers of one hand) were plotting to bring the French and Indians down from Canada to burn the town and massacre the inhabitants. Did not Nicholson threaten to burn the town? Drums beat, the militia companies formed in front of the captain's houses and marched in haste to the fort. Nicholson was no longer to be trusted, nor a council devoted to James. A paper was therefore drawn up, signed by the five captains of militia, in which they assumed the direction of

affairs, each in turn bearing command as "Captain of the Fort," from day to day. A few days later the captain whose turn it was to command that day, sent his lieutenant to the City Hall where Nicholson and his council were in session, and demanded the keys of the fort and town. They were given up, and Nicholson, fearing a fate like that of Andros, went aboard an English ship in the harbor and sailed for England.

The captains now jointly issued a call for a convention of delegates from the several counties, on the plan of the abolished General Assembly. Twelve delegates appeared on June 26 from all of the counties except the far away Ulster and Albany; and ten of these constituted themselves into a Committee of Safety, to guide the affairs of the province. They made some changes in the military arrangements, first appointing as permanent "Captain of the Fort" the senior of the five captains of militia, Jacob Leisler, and following this up in August by extending the same individual's authority over a wider field, making him, as they termed it, "Military Commander of the Province"; all this, be it remembered, to be operative only in a provisional way, and *ad interim*, until the king and queen could be heard from regarding their wishes as to the government of the province.

And thus we have come upon the name of Leisler. Who was he? He was the son of a clergyman of Frankfort, Germany. In 1660 he had come to New Amsterdam as one of the soldiers in the service of the Dutch West India Company. He had abandoned the life of a soldier for that of a merchant, and had acquired a comfortable competence, sailing sometimes in his own ships. He had married a maiden of the city, and thereby had allied himself more or less distantly with the families of Bayard and Van Cortlandt. He was also a deacon of the Dutch Reformed Church. When Andros interested himself so greatly in raising companies of militia, or trainbands, Leisler's military experience of earlier days came into good stead, and he was the oldest of the five captains, either in years or in service. It seems to have been by virtue of this seniority that he had now been

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A Hamilton

brought into prominence above his colleagues, and invested for the time with supreme command in the province.

This is a studiously mild and colorless presentation of the events that took place at this critical juncture. We are aware we are treading on dangerous ground when presuming to treat of the period of "the Leisler troubles." It is not a pleasant subject for the impartial historian, and it seems even yet to be impossible for any historian to maintain a perfectly neutral attitude. Prejudices of the most violent nature were awakened among the neighbors and citizens of the little capital, which have been handed down in the families involved in the controversy of two hundred years ago. And accounts colored by these partisan feelings have misled writers into denouncing Leisler as a brute and a villain of the worst dye, or into exalting him as a saint and a martyr.

Brodhead takes very strong ground against him. But it must be remembered that this author based his history almost entirely upon the original documents he was sent to gather in Europe for the State, and the papers that were sent by the officials that condemned Leisler to death, would not be likely to contain impartial statements of his acts or motives, or to give very accurate versions of the proclamations or other papers he issued. As it seems to be impracticable to gain a perfectly fair estimate of the situation and of the man, we deem it best to be as brief as possible. The animosities which led to so tragic an ending of the episode were mainly awakened by close personal contact and friction of the principal actor in the drama within the limits of the city. We had better keep before us, therefore, the transactions that called for the broader stage of the State, as more germane to the scope of these pages.

Jacob Leisler exercised his authority as "Commander" of fort and province by a consistent recognition of the rights of the people, at least at the beginning. He issued orders for the election of delegates to an assembly, to which but a feeble response was made, in 1689; but in April, 1690, an assembly met with

representatives from all the counties except Suffolk and Queens. In keeping with the reign of democracy the citizens of New York were invited to elect their mayor in September, 1689, instead of



ADMIRAL CORNELIUS EVERTSEN.

receiving him by appointment at the hands of the commander; and, the people responding, the election took place, an event not to be repeated in New York City till 1834.

On December 1, 1689, a letter came to New York which was to figure very largely in subsequent discussions, and upon which the

legitimacy of necessarily doubtful proceedings were made to hinge. It was from their joint majesties, and its address was peculiar, yet well adapted to the exigencies of the times. The superscription ran: "To Francis Nicholson, Esq., our Lieutenant-Governor and Commander-in-Chief in our Province of New York, and in his absence to such as for the time being take care for preserving the peace and administering the laws."

The second part of this cautious address seemed to make it entirely justifiable to open the letter for whomsoever was doing what those words described so fully. It can not be denied that the course of events had placed the cares of administration in the hands of Jacob Leisler; and even if the charge is true that he assumed all the functions of government himself, yet that none the less would have made the terms of the address applicable to him. It was certain that Francis Nicholson was "absent," and their majesties had shrewdly surmised that very likely there would be some absences from government positions in America.

Leisler, therefore, accepted the letter as entirely applicable to his situation, and on the strength of it assumed "for the time being" the title and the functions (which he had been already exercising for half a year) of Lieutenant-Governor, under this *quasi* sanction of the king and queen. In harmony with this somewhat changed situation, Leisler appointed eight of the ten members of his Committee of Safety as a provincial council, and thus was secured in that body that which distinguished the assembly, a representative quality; for the councilors were not residents of the capital only, but hailed from Westchester, Orange, Queens, and Kings counties as well.

The custom of appointing mayors and other municipal officers, as well as councilors of the province, had created an official class who took on all the airs of an aristocracy and looked with contempt upon the people as "a rabble." Leisler had come to the foreground mainly because he was a man of the people. Although wealthy and allied by marriage to the official class, he was not one of them. This explains the bitterness of the op-

position wherewith he was met by those who had been ousted from power and position by his elevation. Chief among these opponents was Nicholas Bayard, colonel of the militia, and member of Nicholson's council. After Nicholson's departure Bayard made himself so obnoxious that he found it safe to leave the city. He went to Albany, and there fomented a spirit of opposition to Leisler among the officials. Yet when Denonville, of Canada, was reported to be preparing to invade New York, an express was sent to Leisler asking for aid.

Leisler dispatched Jacob Milborne (who was now, or later became, his son-in-law) with three sloops filled with armed men and ammunition. But, naturally enough, he ordered Milborne to give no aid to Albany unless they recognized Leisler's authority, and the forces he sent up were admitted to the fort. Bayard and other escaped councilors easily persuaded Mayor Schuyler and Robert Livingston to refuse to receive Milborne and to acknowledge Leisler. A convention was sitting in the city, composed of delegates from each ward, and they were playing the part of the Committee of Safety at the other end of the Hudson, directing affairs for the king and queen in the absence of duly constituted magistrates. A deputation met Milborne and he was invited to appear before the convention, but the influence of Schuyler and Livingston made his arguments of no effect. A speech to the populace, gathered in front of the City Hall, met with no better success. Next a futile armed demonstration was made against the fort on the hill, during which the puzzled Indians, aware only that their beloved and trusted Schuyler was threatened, conceived a hatred of Milborne and his cause, and were ready to fight his little army. Disappointed and baffled, Milborne returned to his chief.

Yet a little later the authorities at Albany took another view of the situation, and acknowledged the government as administered by Leisler. It is possible that frightful disaster striking close to their doors, and threatening their own hearts and homes, and the undeniably statesmanlike measure which Leisler in-

stituted to meet the emergency, turned the scale in his favor.

Schenectady, founded as we saw by Van Corlaer in 1660, had grown to be at this time a village of about four or five hundred people. Within the walls of palisades had been erected about eighty houses, and from their midst rose the church, of which Domine Peter Teschenmaker was pastor. He was the first minister of the Dutch Reformed Church ordained to the ministry on American soil, this ordination having been performed by the only four Dutch ministers then in the country, at New York, on September 30, 1679. It was afterward ratified by the Classis of Amsterdam, and Mr. Teschenmaker, after serving a few other churches, became pastor at Schenectady in 1682.

The plan that had so long been present to the mind of Canadian governors came to maturity when the flight of James to France made the authorities of New York who took part against him the legitimate enemies of the French crown. Now, at last, a supreme effort must be made to descend into New York, seize Albany, and proceed to the capital of the province at the mouth of the Hudson. Governor Frontenac, all during the winter of 1689-1690, was gathering forces of his own troops and Indian braves at Montreal. In January, 1690, an expedition numbering nearly two hundred French and Indians, was sent across the wilderness, with orders to fall upon Albany. After a journey of twenty-two days it reached the vicinity of Schenectady, and it was resolved to attack and destroy this place.

It was Saturday, February 8, 1690, when the party came within view of the stockade, but they concealed themselves in the forest until night had fallen. Then, still waiting till at midnight the unsuspecting people were wrapped in profound slumber, they entered the town by a gate always left open, to which they were guided by some Indian women. The war whoop was flung out upon the clear, cold air, and the demoniac work of stealthy murder, in which the French should have been ashamed to take a part, began. Sixty-three persons were massacred, among them Domine Teschenmaker, who was found with cloven

skull and body burned to the shoulders. The church and over sixty of the houses were consumed by the flames. Twenty-seven persons were carried into captivity. A few escaped to Albany, scarcely half clad, to tell the tale of woe. The people there expected a similar experience, but the enemy did not feel themselves strong enough to attack the place, defended as it was by the fort.

A thrill of horror swept through the entire province. Leisler, precarious as was his position, arose to the occasion. He at once recognized that a supreme effort must be made to rid the province not only, but all the colonies, of this threat of the French.



THE ANDROS DOUBLE SEAL.

whose boasted chivalry did not place them above using the basest passions and the most cunning and treacherous modes of warfare, for which the savages were conspicuous. He invited the colonies of New England to send delegates to a congress to be held at New York to deliberate as to a plan for union against the enemy, in an attempt to conquer Canada and expel the French from America. Delegates came from Connecticut, Massachusetts, and Maryland, and thus with those of New York they constituted the first Colonial Congress ever held in America. Its date, May 1, 1690, should not readily be forgotten, and the credit of it be given to him who has usually received more than his share of condemnation.

In the meantime Leisler was not idle. A body of one hundred and sixty armed men was raised and sent by him at once to reinforce Albany, where his authority was now cordially recognized. The second provincial assembly was called together, and, as we saw, met on April 24, that means to carry on war might be provided. He himself appeared at the congress as one of New York's representatives. It was decided what contingents each colony should furnish. Through Leisler's efforts five vessels were fitted out, three of which were to join a fleet sent out from Boston under Sir William Phipps to enter the St. Lawrence and attack Quebec. A land force under General Winthrop was to invade Canada via Albany and the Champlain Valley. Nothing came of either expedition; but the fact of united effort and its advantages had at least received a practical illustration. Feebleness of resources, and a want of capacity in officers and men of rude pioneer colonies, easily explained the failure, and would only be a stimulus to advance to more favorable conditions in the future.

The remainder of the year 1690 was filled up with events in the career of Governor Leisler, which have given some countenance doubtless to the severe aspersions that have been cast upon his character and conduct by writers, even at the cooling distance of a century or two. There was much imprisoning of persons more or less prominent in the State, even one or two of the Dutch clergy not escaping such treatment. Nicholas Bayard was caught in New York, put in chains at the fort, condemned to death, but spared from execution by begging for pardon.

It is to be said, on the other hand, that plenty of provocation was given by his opponents. The record of events in detail need not detain us, for it will be neither profitable nor edifying. The pity of it is that the rancor between friends and neighbors in one small city should have been excited to so fierce a heat that only judicial murder could satisfy the passions at the time; and the embers of hatred and condemnation kept alive ready to blaze up for many a decade thereafter, causing a clash of parties and

of classes in the community. We shall hasten on to the sad end of the episode that was reached in the spring of 1691.

Toward the close of 1690 it became known in the province that Colonel Henry Sloughter, who had been appointed Governor of New York by William and Mary, had finally started on his voyage to America. The date of his commission was September 2, 1689, but various matters had detained him in England, notably the campaign which terminated with the battle of the Boyne, in Ireland, on July 12, 1690. His progress across the ocean was slow, and at Bermuda his ship ran on the rocks and had to stop for repairs.

About the middle of January, 1691, Major Richard Ingoldsby arrived at New York with a ship that had started in company with Sloughter's, and that carried a company of regulars. It was known that Major Ingoldsby was to be the chief military officer of the province, and it was easy to persuade him, when Sloughter's arrival was so provokingly delayed, that he was virtually lieutenant-governor. The enemies of Leisler put him forward as such, and enlisted his warmest sympathies against the "usurper." He was induced to demand the surrender of the fort and of the civil authority from Leisler, but when he was asked to show papers establishing his right to make such demand, he was rather nonplussed, for there were none to show.

Leisler, therefore, refused to yield the authority which he believed himself to hold, on the strength of the king's letter dated July 30, 1689, and received on December 1 of that year. This gave the opposition a chance to force affairs to a dangerous point, where Leisler might easily compromise himself fatally. They urged Ingoldsby to march up to the gate of the fort at the head of his troops and formally demand the surrender as an act of war. Leisler was still firm. It is said he trained the guns himself and discharged one or two with his own hand. A cannon was fired, and one or two soldiers or citizens were killed; but Leisler claimed it was done against his orders.

Thus the strain continued, until on March 19 Governor Slough-

ter at last arrived. As soon as Leisler understood that the accredited magistrate had come, he sent word per letter that he was ready to surrender the fort. But Sloughter from the first had given ear to the opposite party, and without a careful study of the circumstances, the discharge of cannon at the king's troops did have a bad look. No notice was taken of the letter, therefore, but an order for Leisler's and Milborne's arrest issued and executed. The tables were now completely turned. "Bayard's chain," as some historians seem to narrate with a relish, was put on Leisler's leg, and we can not refrain from wishing that he did not have to suffer the additional agony which a misfit would have caused. The whole of Leisler's council were also arrested and imprisoned, and all these unfortunate persons arraigned and put on trial for high treason, with the additional charge of murder against Leisler and Milborne for the firing of those unhappy cannon.

When it came to the trial in April, Leisler and Milborne refused to plead "until the court should decide one question—had or had not the king's letter to Nicholson given him authority to take upon himself the government?" Now, whatever may be one's opinion of Leisler's conduct or personal character; whatever may be one's conviction as to the validity of his claim to the governorship *ad interim* based on the letter—one still must wonder why the court, specially instituted for the trial, presided over by the chief justice, assisted by the attorney-general and four special counsel, did not take up that question and undertake to settle it one way or the other. Can it be that their mere legal acumen, apart from the passion of the moment and the clamor of the dominant party, bade them perceive that they must answer that question against that party's demand for revenge? There arises this sinister presumption in the impartial mind when we learn that these legal lights refused to answer the question, and transferred it for decision to the governor and his council. It was a foregone conclusion that they would throw the letter contemptuously out of court.

Thereupon Leisler and Milborne refused to plead, and they were condemned as mutes. Death was the penalty pronounced upon all the prisoners, but it was commuted to imprisonment, soon to be ended by a release in the case of all except Leisler and Milborne. They appealed to the king, a right which they undoubtedly possessed. Therefore suspicions of foul and blood-thirsty intentions again arise in the impartial mind when it learns that the authorities permitted themselves to become guilty of the unpardonable cruelty and injustice of refusing to send the appeal to England. It needs not the story of the banquet, and the plying of the liquor-loving Slougher with intoxicants until he did not know what

he was doing, when Bayard and the others placed the death warrant before him to be signed. We may accept this as a slander from the Leisler party. But it is not needed to make out a most serious case against the dominant and official party, after the plain facts that lie on the surface of all these transactions.



ROBERT LIVINGSTON.

The execution was set for Saturday, May 17, 1691. A scaffold was put up where Printing

House Square is now, opposite the building now occupied by the *New York Sun*. This was a locality very far removed from the habited town at that date, and we may wonder somewhat why it was selected. It was upon, or in the immediate vicinity, of property belonging to Leisler, and a street running through the tract now is still called Frankfort Street, after Leisler's birth-place. The morning proved cold and disagreeable, with a north-east storm of rain. Leisler addressed the people who had come to witness the sad spectacle, expressed himself innocent of

political crime, while confessing the sins and errors common to humanity and forgiving all his enemies.

Thus he and Milborne paid the penalty of death for high treason; and it must appear to every dispassionate student of the situation that the extremity to which this quarrel was carried was unnecessary. It would have been better if New York had "been spared the stain of cruelty and of the sacrifice from political malice of two brave and active lives," thus speaks a writer who otherwise condemns Leisler as a usurper and a rebel. And still opinion is divided as to the man and his cause. On the one side we still read vituperation as hot as that which filled the mouths of his enemies on the day he died. On the other, admiration voices itself in the words of Benjamin F. Lossing, when he says, making a somewhat large claim: "Calm and impartial judgment, enlightened by truth, now assigns to Jacob Leisler the high position in history of a *patriot* and a *martyr*."

Little is to be said of the remaining days of Sloughter's administration, for it was exceedingly brief. He was directed by the instructions of William and Mary to restore as soon as possible the popular assembly first granted and then abolished by James II. Writs were therefore issued at once for the election of delegates in the several counties, to meet in New York on April 9, 1691. On that date seventeen good men and true, all the way from Albany, and Richmond, and Suffolk, and the other counties, came together as the fourth General Assembly. There was no splendid palace to receive them, nor were they now accommodated at the governor's mansion. They met at a tavern, unless the muse blunders here and forgets that the City Hall of New York was once a tavern, and has got the two facts mixed up. To supervise or counteract their legislation there was the Provincial Council, made up of twelve men, not one of whom seems to have belonged to any other county than New York. A new seal was also sent over for the province, representing William and Mary, with an Indian man and woman kneeling at their feet and offering tribute of wampum and beaver skins.

The Assembly elected James Graham, of New York City and county, speaker. It did not encounter a sympathetic governor, whatever might now be the attitude of the sovereigns at whose own instance it had been rehabilitated. A resolution which was passed, quite in the spirit which had prevailed in England and which had made the revolution possible, declaring that popular representation in the legislation of the province was a right and not a privilege—was incontinently vetoed by Sloughter. The Assembly remained in session until nearly the close of May, or not quite six weeks, and fourteen bills were passed, which became laws. One of these created a supreme court for the province, composed of a chief justice, a second justice, and three associate justices. Joseph Dudley was appointed chief justice by the governor. The Assembly also re-enacted the previous "Charter of Liberties," but worship according to the Romish religion was now prohibited, and the Test Act was applied to persons holding office.

The little community of the capital was greatly startled on July 23, 1691, to learn that Governor Sloughter had been suddenly taken ill, and had died within a few hours. At once conjecture was busy as to the probable cause, and party feeling prompted suspicions and made ready belief of various accounts. It was natural that the partisans of Leisler, who was dead but two months and a few days, should ascribe the man's death to remorse, which had led to too excessive an indulgence in the cup. The aristocratic party discovered a negro (either imaginary or real) who had placed poison in his coffee at the instigation, of course, of the Leislerians. Investigation by autopsy proved he had died from natural causes, which has not prevented historians from assigning among these *delirium tremens*, which would surely have argued no great excellence of private character. The governor was buried at the expense of the province, and the Stuyvesant family permitted the remains to be deposited in their vault, by the side of those of the last Dutch director.

The last honors done, on July 30 the Council of the Province

met, and called before it Major Ingoldsby. Being requested to read his commission from the king, it was ascertained that in case of the death of Governor Sloughter, the major was to act as commander-in-chief of the military. This was interpreted as sufficient warrant for investing him with the duties of acting governor, and as such he took the oath of office. It was thirteen months before his successor arrived in the province. The assembly met again in 1692, and during that year Major Ingoldsby was summoned to Albany by the threat of another invasion from Canada. Nothing came of it, however, and it served only as an opportunity for renewing pledges of alliance with the Iroquois.



CLINTON ARMS.

CHAPTER V.

THE ROUNDING OUT OF THE FIRST CENTURY.



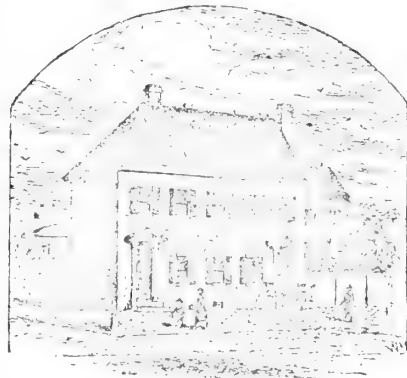
It is somewhat hard to understand what induced the occupants of the British throne, at times, to place the duty and responsibility of governing New York on certain individuals. The choice of Colonel Sloughter by a man of such shrewdness and knowledge of men as William III. was certainly not a happy one. It may have been in the thought of Major Ingoldsby, as well as in that of the council who made him acting governor, that the king might put him in office permanently. And there is every reason to think Ingoldsby would have done very well. But there came no confirmation of the council's appointment. On the contrary, it was learned that the king had appointed Colonel Benjamin Fletcher, and the impartial verdict of history must be that the king might have made a much better choice.

The historians of New York City and State are in despair about the paucity of biographical details that have been gleaned about this governor. Brodhead, the patient collector and student of original "Documents relating to the Colonial History of the State of New York" (published in several ponderous quartos), thinks he has traced his birthplace to Cheshire, England; but Todd has looked through its county history and says it "is silent concerning him." De Peyster throws a little light upon his previous career, but in decidedly vague terms: "Having been an active propagandist of Englishism and Protestantism in Ireland, he was rewarded with an estate in that country."

He was a soldier, "educated in the camp," as he himself once stated. As a soldier he may have had part of that education in that land fruitful of battlefields, the low countries, that is, Belgium and Holland, and therefore under William III. Service there and in Ireland would entitle him to reward at this juncture, and explains his appointment. His jurisdiction was to extend over Pennsylvania and Delaware, as well as New York, and his salary was fixed at the not inconsiderable sum of seven hundred and eighty pounds.

He arrived at his capital on Monday, August 29, 1692; was received with due ceremony, and read his commission to the people assembled before the City Hall on Coenties Slip. His council was named in the document which constituted his instructions. They were fifteen in number, and the spelling of the Dutch names was a little queer. Flyp-son, standing for Filipse; Cortlandt, shorn of its Van, and Schuler doing duty for Schuyler. Fletcher was armed with secret and open instructions both, the former even to be kept from his council if he saw fit. They related to the policy he was to pursue in regard to appointment of officers and the removal of councilmen. There were special directions as to his own powers and privileges and the encouragement of religion of the approved type. The open instructions were to be read with his commission, and referred to very much the same topics in a more general way.

The Assembly that came together after Fletcher's assumption of the governorship was largely composed of members who had been carried in on the tide of a popular reaction against Leisler. His later acts, as was said before, had been characterized by too much asperity as the result of the exasperating oppo-



CORNELIUS STEENWYCK'S HOUSE.

sition which constantly assailed him. In the rural districts, especially in Queens and Suffolk counties, Leisler had excited much bad blood against himself, and up the river and in Albany he had never been precisely popular. The revengeful execution had not yet had time to create a reaction in his favor. Yet, none the less, "aristocratic" as might be their leanings, the Assembly were not untrue to the fact that they were "The People" by representation. The governor, though avowedly a partisan against Leisler and his following, did not find them in the least pliable. Bills which did not meet with his approval they might be helpless in establishing as laws, but in turn bills which came down to them from him or the council they insisted on amending to suit themselves; while Fletcher wrote in despair: "There never was an amendment desired by the council board but what it was rejected. It is a sign of stubborn ill temper."

The advantage of a representative body enforcing the wishes and guarding the interests of the people of every section of the State, over a council appointed from men whose interests were wrapped up with those of one city only, was illustrated by the action taken by the Assembly in regard to New York City's bolting monopoly. We have mentioned its introduction under Andros in 1678. In Dongan's time there was added to it the monopoly of baking. By virtue of this all the grain raised in the province had to be taken to New York to be bolted, or made into flour, before it could be exported as such; and likewise all the bread sent abroad must be baked in the city. It rested as a grievous disadvantage upon the towns in the vicinity, but until the Assembly became an effective power for making the will of the people operative, the burden had to be endured. In 1694 the opponents of the monopoly succeeded in obtaining a majority, and the privilege was abolished. Naturally the city authorities rose up in arms, and they made an interesting showing of what the monopoly had done for the town, in an address to the governor in 1696, begging for its restoration: "When the bolting began in 1678 there were only 343 houses; in 1696 there are 594.

The revenue in 1678, 1679, and 1680 did not exceed £2,000; in the year 1687 it was £5,000. In 1687 there were three ships, seven boats, eight sloops; in 1694 there were sixty ships, forty boats, and sixty-two sloops; since which is a decrease. In 1687 New York killed 400 beeves; in 1694 near 4,000. Lands have advanced tenfold in value. If this act continues, many families in New York must perish." The Assembly, acting for a wider territory and population than a single city, determined that the Act of 1694, abolishing the monopoly, should continue. It was too bad about the "perishing" New York families; but those who benefit by the unnatural stimulus of industry or trade are always exposed to this danger; yet the continuance of unnatural conditions is bound to be so much more hurtful to the larger number, that statesmanship had better brave the distress of the few, which is only temporary, and lay secure foundations for the future. It is gratifying to learn that the Assembly, though yet in its infancy, had learned already this lesson in statecraft.

It stood as a bulwark against another un-American institution—a State church. Fletcher was very anxious to plant the Anglican Establishment upon the soil of his government. At the very first session of the Assembly after his arrival, he sent in a recommendation to provide a settlement for ministers by public act. It was not a subject that met with a cordial response from the preponderating element of Dutchmen, from most of the counties, or from the Puritan elements from Suffolk and Queens on Long Island. The recommendation was simply ignored, for they were aware that the ministers to be "settled" would be those to whom the term could only apply in terms of English law, that is, the Episcopal clergy. In a second appeal that fact stood out very clearly, embodied in a sharp fling at their boasted liberty-loving spirit: "You are all big with the privileges of Englishmen and Magna Charter, which is your right, but the same law provides for the religion of the church of England."

The matter was taken up at the next Assembly, which met in September, 1693. Its composition may have been different, or

an escape was contemplated by the use of very general terms. A "Settling Act" was passed providing for the building of one church in New York City, two in Westchester County, two in Suffolk County, and one in Richmond County, or Staten Island. In each of these "a Protestant minister" was to be settled, the salary to be anywhere from forty to one hundred pounds, to be raised by a tax levied on the Freeholders of all faiths.

The loophole that was left open in this act was made apparent by a formal resolution of the Assembly stating "that the vestrymen and church wardens have power to call a dissenting Protestant minister, and that he is to be maintained as the act directs." There was also a stretching of the meaning of vestrymen and wardens, so that they covered officers of churches usually designated by other names. Practically in communities where some other denomination predominated, the act was made to serve its ends, although in some places those who had built up flourishing enterprises sometimes came to grief, as we shall see. The Dutch Church of New York did not trust to such a precarious chance. Ingeniously pleading the privileges of the act, and by a judicious present of plate to the governor, the church officers procured a charter for their corporation on May 11, 1696, whereby they could maintain themselves by compulsory church rates, and the call of ministers, with which no magistrate, however desirous of troubling them, could interfere.

Fletcher's name is linked with one event that has served to make it immortal. Under Governor Dongan, as we saw, James II. prohibited the introduction of that engine of sedition—the printing press. The other colonies were in advance of New York in regard to this institution. As early as 1643 it was already in New England, and doing its inevitable work of exasperating authorities, for in that year Stephen Daye, Massachusetts's first printer, was put under bonds to the amount of £100 to make him and his types behave themselves. In Virginia the press had been introduced, and earned for itself the distinction of being suppressed in 1682, and when the printer went to Maryland the

same fortune met him there. There was no need to suppress or banish printers in New York, for there were none before King William's time.

When printing came, it came to stay, and Fletcher has the credit of introducing it. When he went to Philadelphia to attend to the duties belonging to his office as governor of Pennsylvania, he found that among these was that of presiding at the trial of a printer by the name of William Bradford, who had printed something that gave offense to the orthodox Quakers. It was with Quakers as with other religionists when in power—liberty of thought, only meant liberty to think as those did who had the power to punish people who thought differently. In Massachusetts the Quakers did not have liberty of thought. In Philadelphia those who varied from the Quakers were made to feel uncomfortable, although not to the extent of having ears cropped or tongues slit, as the Quakers had found in New England. Bradford was acquitted at the trial, but a change of residence became eminently desirable, and he contemplated returning to Eng-



CORNELIUS STEENWYCK.

land. Fletcher saw a chance to procure a valuable accession for his province of New York. On March 23, 1693, the Provincial Council, at his instance, resolved "That if a Printer will come and settle in the City of New Yorke for the Printing of our Acts of Assembly and Publick Papers, he shall be allowed the sum of £40 current money of New Yorke per annum for his salary, and have the benefit of his printing, besides what serves the publick."

This was doing better than Virginia had done in 1682. Nor was it likely to be against the wishes of James II.'s successor, in

whose native country of Holland it was wont to "snow" pamphlets on every public question. William Bradford accepted this offer. On April 10, 1693, he was already at work in New York, having set up his press within a short distance of the City Hall, where, at 81 Pearl Street to-day, the historical pilgrim from every part of the State may read the record on a bronze tablet. By the act of council and payment of the salary for printing the acts or laws of the province, Bradford was constituted a government printer, and New York was the first of the colonies to create and maintain such an office.

William and Mary's accession to the throne which their father had vacated, brought on a war with France, to whose protection James had fled. It is the one called "King William's War" in America, and lasted until the Peace of Ryswick, in 1697, when France was compelled to acknowledge William and Mary and to abandon James's cause. Nothing suited the men of Canada better than this hostile attitude between England and France at home. It gave them a freer hand in the warlike expeditions they were constantly organizing against the frontiers of New England and New York, even in times of peace. And winter seems to have been their favorite time for letting slip the dogs of war. It was in February, 1690, that Schenectady had been attacked. In February, 1693, on the very anniversary of the previous horror, five hundred and fifty French and Indians approached within twenty miles of the place again. Here they constructed a fortified camp, intending to make it the base of operations against the settlements on the upper Hudson.

News of the impending disaster was sent by express to the governor at New York, where it reached him on February 12. He acted with the promptness of a good soldier. Orders were sent to the militia of Kings and Queens counties to have one hundred and fifty men at the ferry to New York the next morning. At eight o'clock on the morning of February 13, the city militia were drawn up before the governor. He asked for volunteers to go up the river, and every man responded. One hundred

1412



Morgan Lewis
⑪

and fifty were selected. At ten o'clock an express was already on the way to Colonel Beeckman, commander of the Ulster County militia, to have horses ready to carry the governor and his little army from Kingston to Albany over land, as the river was full of ice.

Ere the start was made on the 14th, another express arrived from the north confirming the first news, and adding that two of the "castles" of the Mohawks had already been taken by the enemy. This only hastened the expedition, and by a supreme effort it reached Albany at nine in the morning of February 17. No time was lost. Mayor Schuyler, a major of militia, was sent forward to Schenectady with fifty of his own men, and after a needed rest of only two hours Fletcher with sixteen horsemen followed, ordering Colonel Bayard to come after him as fast as possible with the remainder of the force. On reaching Schenectady Fletcher learned that Schuyler had gone ahead into the wilderness with his fifty men, attended by a host of the Iroquois, whose idol he was, and the next day the news came that the major had defeated the enemy and driven him from his fortified camp. There was nothing further to do, therefore, and Fletcher returned with his army to Albany, where he was congratulated on the success of his expedition, and thanked for the promptness of the succor he brought.

The French must have been thoroughly routed, the Iroquois doubtless doing very effective damage to the enemy when once they had turned about and fled. No serious renewal of hostilities was attempted by the enemy until 1696. Then, in the summer time, Governor Frontenac, having gathered a large army at Montreal, composed of regulars and militia, and a horde of Canadian savages, directed in person an expedition into the heart of the country of the Five Nations. The blow was aimed at the very center of the "Long House." Ascending the St. Lawrence in boats and canoes, they crossed Lake Ontario, or probably coasted along the shore, until they reached the mouth of the Oswego River. They ascended this stream, carried the boats

and barks around its falls, and so arrived at Onondaga Lake.

The Onondagas were prepared. They had sent their wives and children away, and had determined to make a stand at the fortified "castle" on the shore of the lake. But when they discovered the overwhelming force of the enemy, they adopted wiler tactics. They burned village and castle both, and retired within the forest. Count Frontenac and his army found nothing to oppose them, except an Onondaga sachem over one hundred years old, whose age should have been his defense, but to Frontenac's eternal shame he allowed his Indian allies to torture the venerable patriarch. Such a force, heterogeneous as it was, could not be kept idle in the wilderness with very little sustenance to be obtained, and so the French governor, who is said to have been carried about in an armchair on this foray, was fain to order the march back to Canada.

The Iroquois were not far off, and the return march was made disastrous for the French by their skillful tactics against the retreating army. The expense of the expedition and the retaliatory incursions of the Five Nations reduced Canada to the verge of famine. Only occasional scalping parties ventured into New York after this, until the Peace of Ryswyck in 1697 caused a cessation of hostilities.

Before Governor Fletcher returned to New York, after his prompt supply of aid against the French in 1693, a grand council of the Iroquois League was called at Albany. Fletcher was attended by magistrates and officers, and he made a speech in reply to the expressions of thanks on the part of the Indians. As a compliment to his rapid movement to relieve that section of the colony and the Indian allies, they bestowed a title upon him in their picturesque vernacular, signifying the "Very Swift Arrow." Going up again in the summer he held a conference with them, lasting from June 23 to July 6, firmly cementing the alliance.

In the administration of civil affairs, Fletcher's conduct was not as commendable. As the years went on serious charges were

preferred against him at court, until finally, in 1697, he was recalled, and a successor sent over for the avowed purpose of probing the abuses to the bottom, and remedying the evils they had produced. Thus Fletcher passed off the stage of New York history, and obscurity at once swallows up his subsequent career, as it had overshadowed his previous history.

The man chosen to succeed him was Richard Coote, Earl of Bellomont, an Irish peer. He was so staunch a Protestant that he left England for the Continent on the accession of James II. He was then Baron Coote, of Colooney, having been raised to the peerage in consideration of services connected with the restoration of Charles II.

to the throne. He was one of the foremost in the movement to invite William of Orange to England, and in putting him and Mary on the throne. The brief period that James



THE STRAND, NOW WHITEHALL STREET, NEW YORK.

succeeded in setting up a parliament in Ireland was signalized among other things by the confiscation of the Barony of Colooney. William III. had already rewarded Baron Coote by making him treasurer and receiver-general to the queen. The act of the Jacobites only resulted in a still more distinguished reward. Richard Coote was made Earl of Bellomont.

It was a great compliment to the province of New York that a person of such rank should now be appointed its governor. No governor before him had been of such exalted station. There were knights or baronets, and barons subsequently sent over, and an earl only once again. The king was making up for a Slougher and Fletcher, and it was high time. Lord Bellomont

was sixty-two years of age, but still of vigorous appearance, large of frame, tall and dignified. But he was a victim of the gout. He brought his countess with him, who was very much younger than himself, and the gossips tell curious stories, contradicted by more serious historians, about her gay habits and the jealousy of her husband.

The earl's commission was dated June 18, 1697. As so often happened, there was a long interval between this and that of his arrival in the colony, which did not occur until April 2, 1698. Four barrels of gunpowder were reduced to smoke, and gave forth their latent thunder to welcome the earl and his lady. At the corporation dinner Mayor De Peyster presided, and covers were laid for one hundred and fifty guests, history gravely recording that they feasted upon "venison, turkey, chicken, goose, pigeon, duck, and other game; mutton, beef, lamb, veal, pork, sausages, with pastry, puddings, cakes, and the choicest of wines." The commission extended his jurisdiction over Massachusetts and New Hampshire, as well as over New York. At the beginning he retained the council of his predecessor, of whom five, Philipse, Van Cortlandt, Bayard, Nicolls, and Minvielle, had been on Sloughter's council which voted for the execution of Leisler.

This was a significant circumstance, and much in favor of the sincerity and impartiality of his convictions regarding that unfortunate event. In 1695 Leisler's son and Abraham Gouverneur, who had been one of the convicted but pardoned council, having escaped to England, had succeeded in securing a parliamentary investigation into the merits of the affair. Lord Bellomont was a member of the committee charged with that work. The bill they introduced reversed the attainder in full and condemned the execution. The earl spoke strongly in its defense, and declared that he was led to his convictions in no other way than by the study of the facts. It was, therefore, perfectly well known how he felt on the question that was still burning in many hearts and was destined to divide parties for many a day. Later, also,

he found it necessary to remove the violent anti-Leislerians from his council, substituting Abraham De Peyster and Robert Livingston, among others.

Livingston had been strongly antagonistic to Leisler, as we saw. But going to England to push some claims for moneys advanced to the government, and to press the charges against Fletcher, he had become intimate with Lord Bellomont, whose mind had now been made up as to the Leisler episode; and the genial Livingston, whose special faculty was "acquisitiveness" and not "politics," had no difficulty in trimming his sails to the new direction of opinion as to the treatment of his former enemies. Milborne, at the moment of execution, had shouted to Livingston in the crowd: "I implead thee at the bar of God for this!" deeming him so largely responsible for the tragedy of that day. Possibly pity and remorse had had something to do with the new councilor's change of attitude.

The changes in the council having been made, the governor proceeded to carry out an important part of his instructions. In the first place the confiscated property of Leisler and Milborne was restored to their widows and children, as ordered by the Act of Parliament of 1695. Abuse of Bellomont for ordering the purchasers to restore the estate, is irrelevant. Even in 1692 Queen Mary, in council, had ordered the restoration of the property. After that no one could have been sure of the title, and the Act of Parliament was now three years old. This act of justice was followed in October by the complete rehabilitation of the name and reputation of the deceased. Their bodies had been rudely thrust, even uncoffined, into a grave near by the place of execution. Abraham Gouverneur, who had married Milborne's widow, and Robert Walters, who had married Leisler's other daughter, asked that their remains might be removed from this place of shame. The request was granted, and Bellomont resolved that nothing should be wanting to compensate for the former indignities. It was arranged that the disinterment should occur at midnight.

Curiously enough, as at the execution, there was a severe storm of wind and rain. Nevertheless, twelve hundred people attended the weird occasion. A guard of honor of one hundred soldiers had been sent by the governor, and with beat of muffled drum and lighted by torches, the procession wended its way from Printing-house Square down to the City Hall at Coenties Slip. Here the remains lay in state for some days, although we can hardly suppose the poor fragments were exposed to the public gaze. Then they were deposited in a crypt, or in graves, under the floor of the new Dutch Church in Garden Street, now Exchange Place. "So ended," remarks Dr. A. G. Vermilye, a descendant from one of Leisler's council; "so ended, without any breach of the peace, this act of late justice; but without the relaxing of a muscle of that implacable hate among the old leaders and so much of the opposite faction, which had pursued the memory of these two men and pursued their adherents since 1691."

One of the serious charges against Governor Fletcher had been that he had not only *not* sufficiently discouraged or suppressed the prevailing piracy of the day, but that he had accepted bribes from captains or owners of ships to keep his eyes closed as to the real character of the business they were engaged in. The chronic condition of warfare between the Christian nations of that day induced the fitting out of armed ships as privateers; and the practice easily led to the crossing of the almost invisible line between privateering and piracy. Hence this period had become the heyday of the buccaneering fraternity.

This business involved the most respectable citizens of the colonies. Their ships were found to bring very much quicker and larger returns on investment than the ordinary processes of commerce, when, with a little additional cost, they were armed and manned as privateers. And if the same returns continued when there happened to be a lull in war, or if ships had been overhauled without too close a regard to the flag they carried, who were the wiser for it, when the heroes and their plunder ar-

rived in port? Or the thing was done in this way: The piracy of the Indian Ocean was notorious, and on certain islands in that sea the gentlemen of the Black Flag had depots where they would exchange rich stuffs of the Orient for more prosaic commodities of the West in the way of wines, liquors, and shipping stores.

New York merchants were naturally tempted to send pipes of Madeira, or kegs of rum, and other articles not so high priced to Madagascar and other far away islands around the Cape of Good Hope, when the percentage of profit ran up into the hundreds or the thousands. It was quite as bad to engage in this collusion with pirates, and buy their stolen goods, as to do the business in a more direct way; but if inquiries were not too stringently pushed, again nobody was the wiser, and wealth accumulated in the pockets of citizens and officials. Fletcher, like one or two governors of other colonies, had not been quite free from connivance with these practices, and Bello-mont's main mission was to stop them.



DR. GERARDUS BEEKMAN.

Yet he himself came near being compromised in the matter, enough so at least to give his enemies a chance to annoy him. Everyone has heard of Captain Kidd; people indeed have hardly yet got through looking for his hidden treasures along the shores of Long Island and Connecticut, and he stands forth before the imagination as a prince among pirates. Yet he did not start out to be such. He was a respectable captain of a merchant ship; a friend of Robert Livingston. Perhaps the shrewd acquisitive lord of the manor knew more of him than others, but as such he

recommended him to the king and to Lord Bellomont. Livingston himself, with His Majesty and the earl and one or two more exalted personages, contributed a large sum of money wherewith they procured and equipped a goodly ship, which they placed under Captain Kidd's charge, and wherewith he was to scour the seas in search of pirates. The treasures likely to be secured by hunting these devils to their lairs would pay for the investment, with a handsome profit thereon.

In October, 1696, Captain Kidd started on his laudable mission. He failed to find any pirates for a whole year, and then Captain Kidd ceased to be found himself. But gradually certain bold acts of piracy were traced to Captain Kidd. In June, 1699, he came to the surface again; he would claim that the vessels he had been accused of taking were legitimate prey: pirates he was sent to catch, or French ships. He put into Delaware Bay, then appeared next at Oyster Bay on Long Island, at Block Island, at Gardiner's Island, where he buried a part of his treasure. Hearing that Bellomont was now governor in these parts, he sent a message to him at Boston. It augured well, it seemed to him, that one of the partners in the virtuous compact under which he went out, was like to be his judge. Bellomont sent word back that if what he had told him was the truth he might come to Boston. He went, but could neither prove his innocence nor bribe the governor to release him by revealing the place of the hidden treasure. Bellomont sent Kidd to England, where he was hanged in 1701.

The other serious charge against Fletcher was excessive grants of land to a few individuals. Among his open instructions was one giving him permission to dispose of such "lands, tenements, and hereditaments" as were within the king's power to bestow, and, with the consent of council, he might grant these "to any Person or Persons for such term, and under such moderate Quitt Rent services and acknowledgments to be thereupon reserved unto us, as you by and with the advice aforesaid shall think fitt." Fletcher seized upon this item and made it work

to the full extent of the advantages it could bring. Soon about ten or twelve of his favorites possessed about three-fourths of the available lands of the province, including some of the hunting grounds of the Mohawks. A few details will furnish interesting information to residents in various parts of the State.

Colonel Nicholas Bayard paid the governor one hundred and fifty pounds (say \$750) for a tract some thirty miles in length, but not otherwise precisely delimited, on both sides of the Schoharie Creek, covering portions of the present Montgomery and Schoharie counties. Colonel Henry Beckman, for about fifty pounds, received a grant of sixteen miles square in Dutchess County, and one resting for eight miles on the Hudson and reaching twenty miles back to Connecticut. A Captain Evans, of one of His Majesty's frigates, on duty at the station to watch smugglers whom he did not watch, became proprietor of territory twenty miles in breadth by forty in length, including the southern part of Ulster County, two-thirds of Orange County, and part of Haverstraw, now in Rockland County. Colonel William Smith obtained fifty miles of Long Island, then, in 1693, recently denominated "Nassau." It simply gathered up in one lump all the lands on the island not formerly "patented" away.

Peter Schuyler, Domine Dellius, and three other partners, obtained a grant of fifty miles of land on the Mohawk River, reaching from the present Amsterdam to West Canada Creek, in Herkimer County. Then Domine Dellius went on and bought some more land on the east side of the Hudson, twelve miles wide and seventy miles long, covering Washington County and reaching to Vermont. Even at that time, unimproved as the land was, these tracts were known to be worth anywhere from five to twenty-five thousand pounds. Most of them paid about fifty pounds. As soon as Peter Schuyler and Major Wessels, of the company of five, understood what this thing really meant, they resigned their shares. The others of all those mentioned held on to theirs. Under the instructions given to Lord Bellomont, and by Act of the Assembly, these grants were vacated and made

void. It did not improve the temper of these influential beneficiaries against him. As he at the same time stopped with a vigorous hand the "abuses of trade," that is, smuggling, which gave the death blow to privateering or piracy, he drew down on him the wrath of the merchants also.

The first Assembly under Bellomont was not a happy production. As early as this period in the history of popular elections, intimidation was already known. Fletcher had been charged with sending soldiers to the polls; Bellomont refused to do anything to interfere, although it was known a desperate effort would be made to prevent a fair vote, for fear the Leisler party might return a majority. Two men were returned from Orange County, although the sheriff confessed he had not allowed any election to take place. Other counties sent members whose election was equally disputable; yet these doubtful delegates were seated, and refused admittance to two indisputably returned. Not much good could be expected from such a gathering, and the governor soon prorogued it. The next Assembly was called for March, 1699, and the election being now better conducted, no disputed members took their seats.

Both parties made Herculean efforts to influence the rural voters. Matthew Nicolls, once speaker, stumped the counties against the Leislerians, and thus also against the governor. Gouverneur and Walters, sons-in-law of Leisler, were just as energetic on the other side. It was no easy work in those days. No dining and sleeping in Pullmans or Wagners, with speeches from rear platforms. Nicolls was fain often to creep under a haystack for an abode during the winter's night; and Walters twice swam a stream, swollen beyond its bounds by choking ice-jams. The result was a Leislerian majority; out of twenty-one members they could count on sixteen. The way to the restoration of Leisler's reputation and estate was easy under these circumstances; the vacating of the grants and the carrying out of others of Bellomont's instructions were likewise accomplished by this Assembly.

Like former governors, Bellomont took care to cultivate friendly relations with the Iroquois. At the end of the war, he sent Schuyler and Dellius to Canada to negotiate for an exchange of prisoners, and when Frontenac refused to consider his Indian captives as prisoners of war, Bellomont announced to him: "If it is necessary I will arm every man in the provinces to redress the injury you may perpetrate against our Indians. I will not



THE CITY HALL AND GREAT DOCK, NEW YORK, 1679.

suffer them to be insulted." While in agonies from a fit of the gout, he went up to Albany to enforce his threat, and to meet the Iroquois people. During his administration an immense tract of their land was given to the British crown, so as to secure its protection, while the king granted twenty-five hundred pounds for strengthening the forts at Albany and Schenectady, and to

build a new one in the country of the Onondagas, the central of the Five Nations.

Embittered partisans, disappointed land-grabbers, merchants whose profits were cut down by the stopping of smuggling and piracy, constituted a formidable host of antagonists. It was vain trying to poison the mind of the king against the governor; but still the rudeness and unscrupulousness of political opposition in those days found sufficient means for making life miserable. Bellomont's age was against him, and the tax on his nerves did not improve the gout. A peculiarly severe attack prostrated him in February, 1701, to which he succumbed on March 5. His remains were buried in a leaden coffin in the chapel-in-the-fort, the old Dutch Church. In 1790, when the fort was leveled to make way for the Government House, the coffin, bearing the earl's arms on a large silver plate, was removed to St. Paul's churchyard.

There had been all along a lieutenant-governor, John Nanfan, a brother or cousin of Lady Bellomont. He was now recalled from Barbadoes, where he happened to be, and he remained in office until May, 1702. Leislerian troubles kept coming to the surface. It caused a deadlock in city affairs in 1701, each party claiming the election, until after two months the Supreme Court equally divided the wards between the contestants. Another exciting event was the trial for high treason of Nicholas Bayard, for uttering libels inciting to sedition. He was condemned to death by verdict of a jury on March 9, 1702. Asking for a reprieve, which he himself had refused to Leisler, he was spared until the arrival of the next governor, who at once released him.

This act reveals the attitude of Bellomont's successor. It was again a peer of the realm who was sent to govern New York, Richard Hyde, Viscount Cornbury, son of the Earl of Clarendon, whose sister was the first wife of James, Duke of York, and the mother of Queen Mary and Queen Anne. Thus Cornbury was the first cousin of these exalted personages. Unfortunately he stands distinguished in the history of New York colony for another

reason: as by far the worst governor and the meanest man that was thought fit to be trusted with the management of affairs here. He was imbecile in mind, dissolute and vicious in character, low and dishonorable in conduct, spiteful and violent in temper. At the turn of affairs against King James, while at that juncture his own daughters were of necessity arrayed on the opposing side, Cornbury was guilty of a peculiarly base treachery, enhanced by falsehood of the deepest dye, and a shameless breach of confidence. He was "hunted out of England by a host of creditors," the paying of debts being a matter that never rose above the farthest horizon of his intentions.

Yet this creature was the cousin of Queen Mary, now deceased, and he was the cousin of Queen Anne, soon to be. Having for once given a good governor to New York, William now capped the climax of Fletcher and Sloughier with Cornbury, who, in the order named, was the worst of that trio, and as history now knows the worst of all the bad governors under which New York was so often made to groan. He was "by merit raised to that bad eminence." He began his career as governor before he left England by appointing as secretary of the province one Daniel Honan, "a man of notoriously low tastes, a thorough scamp, and one who seems not to have possessed a single redeeming trait." It was so bad a move that it drew forth a reprimand from the Lords of Trade. Cornbury promised to dismiss the obnoxious Honan, but did not keep the promise, retaining him to the end of his term. On March 15, 1702, Cornbury set sail for America. His cousin had been queen scarcely a week, William III. having died on March 8.

He arrived at New York on May 3, and took up his residence in the mansion in the fort with Lady Cornbury, who was quite worthy to be her husband's mate, if the tales told by some colonial grandmothers are to be believed. The fort's name was forthwith changed from William Henry to Anne, after the reigning sovereign. Cornbury was inducted into office with the usual ceremonies, and made an ostentatious avowal of sympathy with

the enemies of the late governor and of Leisler, signalizing it by the immediate and summary release of Bayard. Later in the year he received from the queen the appointment of governor of New Jersey, at the same time that a formal confirmation was made by her of his commission for New York, given first by her predecessor.

It was an awful incubus on the Church of England that such a man as this should have been a bigoted zealot in the advancement of her interests. Fletcher's zeal in her behalf was disastrous enough, without the advocacy of such a communicant as Cornbury. And, as might be expected, his methods of serving her took the shape of basest ingratitude and the most barefaced treachery.

Scarce a month after his arrival the governor, whose courage in the face of death was none of the highest, adjourned the Assembly which had just met, and fled with his family and council to the village of Jamaica, on Long Island, distant about twelve miles from the East River. This alarm was caused by the presence of a pestilential fever in the city of New York. Villages on Long Island had become reasonably prosperous, but the prevailing style of farmer's houses did not afford spacious accommodation within. It was different with the ministers' manses. Jamaica was the center of a strong Presbyterian interest, which had spread over Long Island by means of emigration direct from New and Old England. There had been services of that faith in certain places as early as 1656, and the oldest Presbyterian Church organized in the United States dates from 1672, and was located at Jamaica. In 1700 they had built their second church, and opposite it stood the parsonage, a large substantial building. The Rev. John Hubbard very courteously offered the governor the use of this roomy house, while he cramped himself and family within a smaller farmhouse nearby.

Not long after Cornbury had thus enjoyed the fruits of Mr. Hubbard's hospitality, the latter found himself confronted one Sunday afternoon with a peculiar expression of the governor's

gratitude. On returning to the church for the afternoon service, he saw in the pulpit an Episcopal clergyman, and the governor and family and council, and a few Episcopalian residents of the village occupying the pews. The baffled pastor made no disturbance, but conducted his own services in an orchard close by. It was the first intimation he had that the civil arm had inducted an Episcopal rector into his place, with a vestry duly appointed to administer the property.

It only remained to add the manse. The thanks of Cornbury for the comfort accorded him in it were expressed by the sheriff sent by him to dispossess the Presbyterians of this also. Of course, the Presbyterians had run the risk of just such treatment by proceeding on the act of Fletcher's Assembly intended for establishing Episcopal churches in establishing their own. It was on the strength of this that Cornbury could claim: "The church and parsonage having been built by Public Act, it could belong to none but the Church of England." And, therefore, also, was it that his base treachery was applauded by men like Vesey of New York, that two governors brought odium upon themselves by seeking to right this judicial robbery, and that it was twenty-six years before this was finally done. It had to be a person of Cornbury's exquisite meanness, however, to take advantage of a statute under the circumstances and apply it in this manner.



GOV. THOM. S. DONGAN.

The Indians were never quite satisfied unless they could look with their own eyes upon the "Corlears" who were successively sent over by the great sachems across the waters. No exception could be made in the case of Cornbury especially, as it was imagined that the Iroquois were not quite so steady as usual in their alliance, since French missionaries had again been

among them. But Cornbury had no mind to make a penitential pilgrimage of it, cooped up in a "nasty sloop," as Lord Bellomont was content to go, gout and all. A bill rests among the archives at Albany, stating in large figures what was the amount of liquor, beer, and wine consumed on the way up the river by the governor and his suite, of which boon-companion Honan formed a part. It was quite impossible to drink up all the rum and beer carried on this expedition as a fee to the Indians, else that might have disappeared also.

The journey to Albany occupied from July 1 to July 5, 1702. On July 17 the general council of the Five Nations held a conference with the governor, lasting six days. The interpreters were the mayor of Albany, Peter Schuyler, and Robert Livingston. Schuyler had succeeded to all the faith and affection which the Indians had bestowed upon Van Curler, or Corlear, due to his dealings of incorruptible integrity and unimpeachable truthfulness with these untutored children of the forest. He went among them by the name of Quider (Kweeder), which was the nearest they could get to saying Peter. They trusted him implicitly, and as he never deceived them in private or in public affairs, his word was their law, and what he recommended them to do they knew to be for their good.

A perfect understanding was reached when Schuyler interpreted to them the sentiments of good will and promises of protection expressed by Cornbury on behalf of the queen, on the condition of their continued friendship, and refusal to acknowledge the rule of the French. This they promised, and during all of "Queen Anne's War," or the "War of the Spanish Succession," as it is known in Europe, terminated in 1713 by the Peace of Utrecht, the incursions of the French and Indians of Canada never came anywhere near the settlements on the Mohawk and upper Hudson.

To offset the French missionaries with their baleful political influence, the authorities of the colony sought to encourage Protestant missionary work among the Indians. Three years

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Wm. W. Loring

before Eliot began his labors, Megapolensis and Weiss, of the Albany Dutch Church, had done considerable Christianizing work along the Mohawk. It being stated by the Iroquois that some of their people had settled nearer the St. Lawrence for the sake of religious instruction, the project of missionary efforts was taken up again by the Dutch ministers at Albany. Rev. Godfrey Dellius had gone among them and preached the gospel in their own language. Rev. Bernard Freeman, later at Flatbush, on Long Island, began in 1700 a fruitful mission among the tribes surrounding Schenectady, of which place he was pastor. He learned their language and translated into it the liturgy of the Dutch Reformed Church, and portions of the Old and New Testament. His labors were nobly seconded at Albany by the Rev. Mr. Leidt, or Lydius. In fact, one of the recent pastors of the church of Schenectady (now the First Reformed Church) states that "in fifteen years after 1702 there were recorded in the Schenectady church thirty-nine marriages, one hundred baptisms, and fourteen received as members."

We need not necessarily suppose that Cornbury, on his arrival, dissolved the Assembly then in existence, because it had a Leislerian majority. This was usually the practice of newly arrived governors. At any rate the next Assembly passed an act indemnifying for losses sustained by the revolution of 1688, called the "Leisler Act," in defiance of Cornbury's opposition. And then the governor went on to do the best service imaginable to the province, by carrying his rascality to such a pitch as to bury all Leislerian and anti-Leislerian party questions in the one desire to save the colony from such official outrages in the future. This united every conflicting interest in the Assembly, taught it its own strength as the guardian of popular rights and the executor of the popular will, and started it upon a career which led to most momentous results for the whole country.

Thanks to the Indian policy pursued for so many years in New York, there happened to be very little disturbance growing out of Queen Anne's War at the north. But at the mouth of the

Hudson the people were not so free from alarm, for the enemy's fleets were abroad, and privateers might at any moment enter the harbor. There was particularly one "French scare," often talked of afterward among the inhabitants, which was caused by the rumor that the French fleet in the West Indies was about to change its field of operations to New York and the other English colonies. The Assembly had been generous to Cornbury before. It had voted a sum of £2,000 as a personal gift to him, to defray the expenses of his voyage out. It had appropriated £1,800 for the defense of the frontiers at the north, and an allowance for his bibulous trip to Albany. Now it voted £1,500 for erecting fortifications at the Narrows, and planting batteries along the East and North Rivers. It was thus a deliberate lie which the governor wrote down in the leisure of composing dispatches to the Lords of Trade, when he assured them that he much feared he could not convince the Assembly "how reasonable a thing it is that they should raise funds for the providing arms and ammunition for the defense of the country."

It needed only fraud to embellish this lie, and make as perfect a piece of villany as the annals of the police courts can furnish. The French fleet never came, but on July 26, 1706, a privateer was sighted off Sandy Hook, said to be the forerunner of the fleet. And then in that supreme moment of danger it was found out that there were no fortifications at the Narrows, but that the noble lord had utilized the £1,500 raised for that purpose to build him a villa on Governor's Island in the Bay. A little more investigation also showed that £1,000 of the £1,800 had been diverted to his own uses.

This was simply intolerable. Who could have supposed they were dealing with a common thief in the governor's chair? The very council turned against him and instituted instant measures for defense and to secure funds, mainly by an appeal for voluntary subscriptions. The Assembly voted to appoint a treasurer of the province, of their own selection, for "the receipt and dis-

bursment of any moneys the legislature might order to be raised for public purposes." When Cornbury appealed to the queen, his scandalous conduct compelled her to side with the Assembly, and Colonel Abraham De Peyster was appointed treasurer. Now, also, was abandoned the practice of voting subsidies for a number of years at once, to be applied by the governor at discretion. The Assembly henceforth voted a revenue for only one year, and would appropriate salaries only for persons actually named in the bill. Cornbury's rascality made possible a giant's stride forward for the cause of representative government.

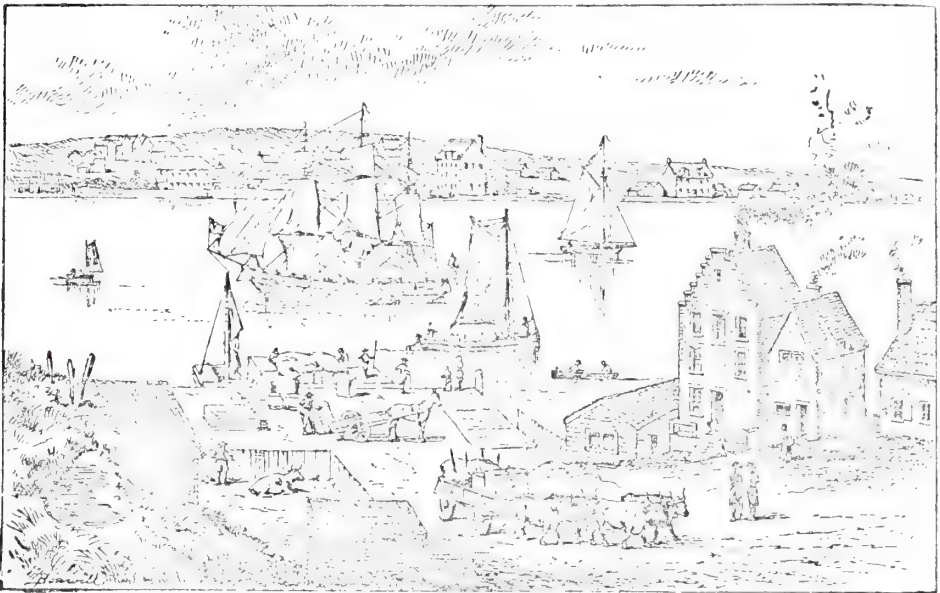
The recall of such a man was only a question of time. The queen herself was mortified and scandalized by his conduct, and the official ax fell in March, 1708, when his successor was appointed. No sooner was it known in New York that he was deposed than his creditors combined and he was thrown into prison for debt, which only his office had prevented before. While in prison his father died, and he be-

came Earl of Clarendon; which, by the peculiar laws of England, released him from prison as a peer of the realm. Thus liberated, he returned to England, his wife having died at New York two years before. In 1723 he died in London, and the earldom became extinct for lack of heirs. The title, however, was revived later for the benefit of a distant relative.



THE DONGAN CHARTER SEAL.

Thus have we reached the year 1708 in the course of our narrative, and that year completes the century since 1609, when the authentic history of discovery and settlement for New York begins. A great change had come over the face of the land even during that first century. Then all was primeval forest, stream, and meadow, where savage or barbaric Indians gleaned their precarious sustenance, or exercised their rudely organized empire. Now there was a city of four thousand souls at the mouth of the Hudson, with two respectable churches, with



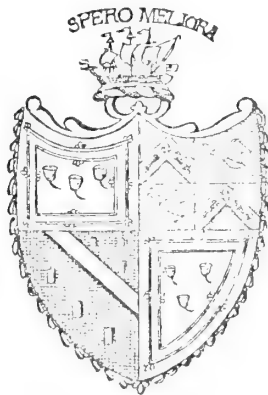
FERRY BETWEEN NEW YORK AND BROOKLYN, 1742.

streets laid out in orderly manner, with houses of brick fancifully ornate, and here and there a mansion of some pretensions. Long Island was well covered with prosperous towns, governed by the "meeting" of all the people in pure democratic style. Scattered plantations along the Hudson on both sides led up gradually to Kingston, where again had grown up a cluster of towns.

Passing a few big manors, Livingston's and Rensselaer's, another city, of say a thousand or twelve hundred souls, was encountered at the head of navigation on the Hudson. Here at

Albany was the center of the Indian or fur trade, and westward, an outpost of civilization had risen, the village of Schenectady, having perhaps recovered a population of four or five hundred since the disaster of 1690. But all beyond, west and north and south, there was still the wilderness, silent as to the voices of civilized activity, frightful at times with the whoop of frenzied savages on the warpath.

There was much still to be gained and reclaimed in spite of the great advance from the early days of colonization, when even white men lived in bark huts or dugouts on hill sides. The next century would see a much more rapid development, yet at the end of that, too, the wilderness, with its wild inhabitants, would still be in abundant evidence. It was reserved for the last or third century to overtop in progress by an immeasurable distance what the two previous centuries had produced together. Among the marvels of the nineteenth century was the marvel of the transformation of New York to what it is to-day.



LIVINGSTON ARMS.

CHAPTER VI.

EARLY INTIMATIONS OF INDEPENDENCE.



REAT results and final issues in history are apt to dominate our view of the events preceeding them and leading up to them. We test and appreciate everything by its bearings on the end. So in our Colonial history, if the Colonial existence had continued till now, there are many incidents which would have failed to attract our notice, but which, being seen now in their relation to the ultimate and glorious transformation in our condition, shine conspicuous and are seized upon with glad emphasis by the historian.

If we characterize the eighteenth century (the second in the history of our State) as one of development, through its gradual occupation by civilized communities; and as the one that brought Independence—a very ordinary occurrence becomes at once strangely luminous with potential consequences. What could be more in the way of the expected than the meeting between a new governor and his provincial assembly? Yet Bancroft says of this occurrence: “The Assembly which met Lord Lovelace began the contest that was never to cease but with independence.” The intimations of what this century was to bring to New York and its sister colonies, made, therefore, an early appearance, for this event took place in April, 1709.

On March 28, 1708, John, Lord Lovelace, Baron of Hurley, was appointed by Queen Anne to succeed her cousin, the insufferable Lord Cornbury, as governor of New York. We have already spoken of the distant family connection between the former Governor Francis Lovelace and the incumbent now under discus-

sion. He was the fourth to bear the title of Lord Lovelace. As his immediate predecessor, the third Baron of Hurley, had been first among the peers to hail the coming of William of Orange, had suffered imprisonment in his cause, had been largely instrumental in securing the crown for William and Mary, and after them for Queen Anne—the favor of an appointment to an important post in the colonies was but a logical consequence in the career of his successor.

Lord Lovelace did not start on his voyage to New York till more than half a year after his appointment, or in October, 1708. He was accompanied by his wife and three children, all boys of tender age. The journey proved so disagreeable and even perilous that his Lordship formed a decided opinion, afterward officially expressed, that even sailors ought not to be exposed to the dangers of an ocean trip in the winter. "No ship," he wrote, "ought to be sent hither from England after August at farthest." The three ships composing the expedition conveying the governor to his post encountered a great storm off the New England coast, which separated the ship bearing Lovelace and his family from the others, and drove it for refuge far up into Buzzard's Bay. She was then fain to make her way to New York through Long Island Sound.

That winter stands recorded in European and American history both as particularly severe, and the passage of Hell Gate was so completely blocked with ice that the governor enjoyed the unique experience of ending an ocean voyage at Flushing, L. I. There followed a not too comfortable trip overland of more than twenty miles, for the seven miles of "bird's-flight" distance between Flushing and New York had not as yet been bridged by causeways and highways and railways. The course led around by the way of Jamaica, through Brooklyn (yet Breuckelen), to the ferry. The East River, too, was crossed with difficulty and with great risk to life or health. The fatal effects upon the distinguished family so painfully beset became apparent all too soon.

On December 18, 1708, Lord Lovelace finally landed at New York. Not long after, perhaps as soon as he and his family had recovered from the fatigue of this particularly trying journey, a public reception was tendered him, at which his graceless predecessor was present. It included a banquet, ordered by the retiring governor and the council, and we are almost tempted to believe that this gave Cornbury a chance to perpetrate a final and peculiarly mean piece of villainy. As late as February, 1712, the caterer who had furnished the repast was still petitioning the authorities for his bill of £46, 7s.; so that it looks extremely likely that Cornbury had pocketed the appropriation, which surely

must have been immediately made and meant to be paid.

It was with keen interest that the people must have regarded the man who came to supersede so intolerable a nuisance and disgrace, and they must have been especially gratified and relieved to find that his successor was a man of spotless reputation and noble char-



GOVERNOR DONGAN'S HOUSE,
STATEN ISLAND.

acter. "Nature had endowed him with a magistick and amiable countenance," said Rector Vesey, of Trinity Church. He was "a man of refinement and education, too, having graduated from the university. A man, once more, of a kindly heart and great consideration for others placed in different and lowlier circumstances."

A word may be devoted to the council that was to assist Lord Lovelace in the administration of the province. Colonel Peter Schuyler, Albany's first mayor, and the Indians' beloved "Quider," was to be president of it. He and Rip Van Dam, of whom we shall hear more anon, with two or three others, had

been Cornbury's councilors. Three new men were added. The holidays were allowed to pass before the business of government was taken up under the new chief, and the first meeting of the council took place on January 5, 1709. The first act was one of ordinary occurrence at the beginning of a new administration. The present provincial assembly was dissolved, and writs issued for the election of another one, the election being set for March 10.

The Assembly thus elected met at New York on April 6, 1709. On the first day no business was done except choosing a speaker, and William Nicolls, who had served as such for six consecutive years previously, and was to hold the position for ten more years thereafter, was re-elected. On the next day, April 7, after organizing for business, the Assembly was ushered into the presence of Lord Lovelace and his council, and this was the momentous meeting characterized so sententiously by Bancroft. Why did he speak of it as he does? Just how did here and then begin the contest which was to cease only with independence? What was the contest?

It lay between royal prerogative and popular rights. It has been related how Cornbury's misconduct made the people's representatives block with a firm hand the approaches to the public treasury. They insisted upon themselves appointing a provincial treasurer, a privilege which the queen felt compelled to grant on account of the dastardly conduct of her cousin. They resolved never again to vote a revenue for a number of years at once. To Bellomont such a grant had been made for six years; in 1702 it had been voted for a term of seven years. It had been determined and announced by the Assembly that when this term should expire, in 1709, they would vote a revenue for only one year, and subsequently continue to make the grant annual only. The instructions given by royal authority to Lovelace were to get the Assembly to abandon that purpose.

The governor addressed the Assembly in a courteous speech, in which he set forth the necessities of the colony in this time of

war, lamenting the calamity of debt which had accumulated recently, yet pointing out that liberal devices were in order for the defense of the country and the protection of commerce on the high seas and along the coast. The burning question was touched upon in the following words: "I can not in the least doubt, gentlemen, but that you will raise the same revenue for the same term of years, for the support of the government, as was raised by Act of Assembly in the eleventh year of the reign of the late King William, of glorious memory."

If the unspeakable Cornbury had not intervened, no doubt the Assembly would have done for Lovelace what they had done for his two immediate predecessors. Lord John was a good man, every way worthy of their confidence. But it was now no longer a question of the man who was governor. The people and their right to have a voice in the disposition of the money raised by taxation, had become the supreme consideration. Therefore the Assembly did not accede to the request so courteously put by the kind-hearted governor. They refused to abandon their design, and voted a revenue for only one year. Moreover, the sum was not even granted in the lump; each appropriation was to be specifically defined as to amount and purpose, this feature being made to apply later to the salaries of officials. And insensibly this led to an invasion by the legislature into the executive department, for it was to be expected that no grant of salary could pass if the Assembly objected to the individual who was to become the recipient. By the refusal of the Assembly to comply with this demand of the governor, or rather of the crown back of him, the New York Assembly, doubtless all unconsciously, had begun the contest of which Bancroft speaks. It is certain that no one then foresaw what it was to end in.

Lord Lovelace was not destined to repeat his request, and thus continue the contest in his own person. The governor was ill when he arrived after that dreadful journey, and he was ill when he met the Assembly. Two of his boys had caught dangerous colds, and the second boy died before the end of April.

The oldest boy, John, lingered a little longer, falling a victim to the disease late in May. Before that, on May 6, 1709, exactly a month after the meeting of the new Assembly, the community was startled by the announcement that the governor was dead. It was the third time a governor of New York had died at his post, but Sloughter's demise could not have caused great regret, and even Bellomont was not so universally mourned as Lord Lovelace, whose gentle bearing had antagonized no one, and whose illness and bereavement had awakened a pathetic interest. It was a sad home-turning for Lady Lovelace. The third boy only went back with her, but he died without issue in 1763, and the line of the Lovelaces of Hurley became extinct with him.

The sudden death of the governor threw the chief direction of affairs for a little while once more into the hands of Richard Ingoldsby, upon whom this duty had devolved on the death of Sloughter in 1691. He had been made lieutenant-governor under Cornbury in 1702, when the latter's jurisdiction was extended over New Jersey. Evidently he gave little satisfaction to the authorities at home, for in 1706 the Lords of Trade prevailed upon the queen to revoke his commission. In some unexplained manner the order to that effect did not reach America, and hence at Lord Lovelace's death Ingoldsby was still virtually lieutenant-governor. In September, 1709, the queen renewed the revocation, however, and it reached Ingoldsby this time. Thereupon Dr. Gerardus Beekman became acting-governor, he being senior councilor and president of the council in the absence of Peter Schuyler, but on the latter's return he became for the time being chief magistrate. The interregnum lasted until the summer of 1710, when the next governor arrived.

This was Brigadier-General Robert Hunter, an interesting personality in many particulars. He was allied to the nobility of Scotland, the Hunters of Hunterston in Ayrshire. But being a younger son of a fourth son of the heir to the manorial estates, he had to make his own way in life, and began the struggle humbly enough as apprentice to an apothecary. This was

hardly a congenial sphere for so bright a spirit, and he soon is found in the army fighting under William III. and Marlborough on the famous battlefields of Belgium.

His mental abilities were of the first order, for although he appears to have had no university education, he possessed literary tastes and powers which made him the intimate friend of Swift and Addison. His capacity and address in the military profession must also have been considerable, as he rose to the rank of brigadier-general in the British army. His graces of person and charm of manner won him the hand of an heiress in her own right, and the widow of a peer, Lady Hay, whose deceased husband was Lord John Hay, second son of the Marquis of Tweeddale. He was now well on the way of promotion in civil



SEAL OF DUTCHESS
COUNTY.

posts, and in 1707 he was appointed lieutenant-governor of Virginia. Seemingly ill fortune at last overtook him, for on his way to America he was captured by a French man-of-war, detained as a prisoner in France, and never reached Virginia at all.

But the bad luck was only seeming: he was back in England by an exchange of prisoners when the news of Lord Lovelace's death reached there, and he was at once appointed to succeed him as Governor of New York and New Jersey. He served for nine years, a longer period than that of any one before him. He maintained the contest with the Assembly loyally for the crown, but he was a man of liberal views, and predicted that while the colonies were then "infants at their mothers' breasts," yet that as such they would "wean themselves when they became of age." Although a true son of the English Church, he was too broad in his sympathies to blind himself to injustice, and he drew down upon his head much clerical vituperation for his efforts to adjust the iniquitous perfidy whereby the Jamaica Presbyterians had lost their property to the Episcopal Church.

It was not till the days of his successor, however, that the property was restored.

His instructions conveyed extraordinary powers to the new governor. The "War of the Spanish succession," or "Queen Anne's war," was still ravaging Europe and America, and Hunter was empowered to levy and mobilize the militia of his two provinces at his discretion. Commissions for privateering to captains of ships might proceed from him; and he could build as many "forts, platforms, castles, and fortifications" as seemed necessary to him. The instructions also named his council, and we again recognize names before familiar, and others of later prominence—Peter Schuyler, Robert Walters, Gerardus Beekman, Rip Van Dam, Caleb Heathcote, Abraham De Peyster, David Provoost, and a few more.

The event that marks Governor Hunter's term as one of pre-eminent importance and interest, was the arrival with him of a large number of German emigrants, the advance swell of that mighty wave of immigration which was to mean so much for the State and the Union in the following century. With Governor Hunter arrived no less than three thousand, who had been preceded by about fifty-six souls who came over with Governor Lovelace.

These people all came from the section of Germany called the Palatinate, or the Pfalz, extending for some distance along the Rhine and embracing the valley of the Neckar and the Black Forest on the east of the Rhine, its capital city being Heidelberg, with its famous "Castle," the Alhambra of Germany. Several times since 1674 Louis XIV. had sent devastating hosts through this territory, but in 1688 he capped the climax by sending an army of one hundred thousand men into the province with the deliberate purpose of reducing it to utter ruin. After the Revocation of the Edict of Nantes, in 1685, depriving the Protestants of France of their right to exercise their religion, the Elector Palatine had welcomed thousands of refugees, and the Grand Monarch, who was only great in name, while very petty in soul,

and who for this act should be styled rather the Grand Monster, determined to punish the German prince for his humanity. Forty cities and innumerable villages were laid in ashes, and the tourist to-day still looks upon the results of the deeds then perpetrated in the ruins of Heidelberg Castle. The country districts were likewise swept by the besom of destruction, not a homestead, or farmyard, or vineyard being spared, but all given a prey to the flames.

All Europe was overrun with the fugitives from this diabolical vengeance, and when the "War of the Spanish Succession" arrayed England at the head of an alliance against France, naturally many of the Palatines looked for aid toward that country. The vast unoccupied regions of field and forest in its American colonies, ready to yield rich returns by cultivation, offered an opportunity for disposing of these worthy mendicants in a manner likely to be profitable, both for them and for the mother country. It was represented to the queen that multitudes of them could be set at work in New York province alone, manufacturing "naval stores." General Hunter, while yet in England, in a memorial to the queen on the subject, said: "Your Majesty imports four thousand seven hundred barrels of tar yearly from the Baltic states. It has been found in America that one man can make six tuns of stores per year; and several working together could make double that in proportion. We suppose that six hundred men employed in it will produce seven thousand tuns a year, which, if more than your Majesty needs, could be profitably employed in trade with Spain and Portugal."

This was a neat, business-like calculation which might well stimulate those already charitably disposed toward the unhappy Palatines. They readily agreed to being transported to America, to settle on lands assigned them, and to work at producing naval stores. The government, for its part of the contract, promised to furnish them free transportation to New York, to subsist them for one year, to give them seeds and implements for agricultural

purposes, for all of which the naval stores were to pay, after which forty acres of land would be granted to each family.

When General Hunter was ready to sail to New York, three thousand of the Palatines were sent out to accompany him, the expedition requiring ten vessels to convey them. Disaster still pursued the unfortunates, who had already drank so deeply of the cup of misfortune. Scarcely had the fleet started when a tremendous storm came down upon it, scattering the ships and compelling one to return. The voyage was greatly prolonged by continuous bad weather, and a disease broke out among the crowded passengers, to which nearly five hundred fell victims and were consigned to watery graves in mid-ocean. At last, in June, 1710, most of the fleet entered New York harbor. But never before had so large and sudden an influx of immigration appeared there before. Here were nearly three thousand persons, and the whole population of New York City was only twice that. The rumors of the fatal disease also alarmed magistrates and citizens. Hence they refused to allow the poor, cramped creatures to land from their floating pesthouses until quarters had been hastily hammered together on Governor's Island, and here the Palatines abode until they could be distributed among the lands assigned to them.



SEAL OF NEW YORK, 1686.

In following that distribution we at the same time trace the story of the beginning of settlement for several parts of New York State that had hitherto remained a pristine wilderness. As has already been seen, there were great leaps over unoccupied territory all along the Hudson, between New York and Kingston, and Kingston and Albany, while west of Schenectady no white settlements had been established. We shall now behold these

gaps filling up and the first advance made into the great western territory stretching along the Mohawk and beyond. Creeping up slowly along the Hudson, we find patents granted and settlement made, and a township organized at Orangetown, at the southern extremity of Rockland, but then Orange County, in the year 1686. A Huguenot of substance had acquired a patent of the region above this, including Haverstraw, twenty years before, and it became a spot for the placing of refugees from religious persecution in France.

In 1663 a Huguenot, Louis Du Bois, settled at Kingston, having penetrated into the country of the Walkill River south of that town in pursuit of Indians who had captured his wife. He not only recovered her, but was so pleased with the district that he induced a number of fellow Huguenots to take out a patent for thirty-six thousand acres; and twelve good men and true thus came to found, in 1677, the town of New Paltz. It was so named in grateful remembrance of the Palatinate where they had first found refuge from persecution. And, curiously enough, now came as neighbors people from that very country whose misfortunes had come upon them for doing good to the compatriots of the settlers at New Paltz. For the fifty or more Palatines who had come over as an advance guard with Governor Lovelace in 1708, were given a grant of land of over two thousand acres, now covered by the city of Newburgh, where they settled in 1709.

The large accession of Palatines who came over in 1710, were placed, in part, upon extensive tracts of land both on the east and west sides of the Hudson River above the latitude of Kingston. Those on the east side, whose site was long called East Camp, and the history of whose settlement is preserved in the name of Germantown to-day, occupied part of the manorial lands of Robert Livingston, whose "acquisitiveness" saw a good chance for exercise in victualing and further exploiting the newcomers, while they made their "naval stores." The region which the

Palatines occupied and developed on the west side is still marked by the name of West Camp.

It was to be expected that when once in the wilderness, removed from the eyes of the authorities, there should be found officials who felt no other interest in these unfortunates than to make them minister to their greed. These soon reduced them to actual want and misery by failing to supply them with the promised subsistence for their families, or with payment for their services. A company of men employed for garrison duty at Albany and Schenectady, having been discharged without pay, in desperation made their way to Schoharie Creek, where the Indians gave them lands. In fifteen days they cleared a passable road from Schenectady some fifteen miles long, and in this manner fifty families came to take up their abode here in 1713, at a spot about twenty miles from the junction of Schoharie Creek with the Mohawk.

As we proceed westward along the latter river, we shall come to-day to a place called Palatine Bridge, reminding us of who came here first to settle. Several small colonies of the Palatines grew up through the valley. In 1723 they founded Stone Arabia, and going still farther west beyond the rocky fastnesses of Little Falls, they settled at German Flats in 1724, and thus the outposts of civilization had crept up nearly to the present city of Utica. The difficulties they encountered in this pioneer work were great. The public road (a mere apology for such an institution at best) ended one mile beyond the present Fonda as late as 1726. The nearest grist mill for the convenience of the people of Stone Arabia and German Flats was at a spot about twelve miles west of Schenectady. As the farthest western settlement was made under the administration of Hunter's successor, it was called Burnetsfield for a time, but now it bears the name that more pertinently tells the story of its first occupation. To afford these daring pioneers some protection against always threatening assaults from French and Indians, blockhouses, surrounded by palisades, were built at intervals along the Mohawk,

and Fort Hunter, still designating a village at the mouth of Schoharie Creek, dates from the year 1712, and commemorates the governor of that day.

It seems wearisome to turn to the annals of war when the annals of peace are so much more interesting. Yet are the former so much more abundant because it has been for so long a time the habit of history to concentrate its attention upon camps and governments, rather than upon the homes and habits and doings of the people. We can not, however, even with the new and better historical purpose in vogue in these later days, quite neglect the class of events which the annals of war scatter so lavishly over their pages. And military history claims some attention in narrating the progress of New York.

As has been stated, all through the administration of Cornbury, and still through the earlier years of Hunter, there raged in Europe the "War of the Spanish Succession." Louis XIV. wanted to place upon the throne of Spain a scion of his own house of Bourbon, and nearly all the rest of Europe was allied against him to prevent it. It was during this war that the Duke of Marlborough won his undying glory, and to the surprise of all the world beat France's greatest generals on the famous fields of Blenheim, Malplaquet, and Oudenarde. The only way to get at France in America was to invade and seize Canada, whence armies attended by hordes of savages came forth repeatedly to do deeds unknown of in civilized warfare. New York had not forgotten the horrors of Schenectady in 1690. New England was thrilled once and again by such massacres as those of Deerfield in 1704, and of Haverhill in 1708; and no part of the frontiers was safe from like incursions at any time.

It was easy to enlist the people of New York and New England in a campaign against Canada. We have mentioned the abortive effort to organize an expedition for its invasion in Leisler's time. Yet there was enough done to entitle it to be called the first Canadian campaign. The second was to have been undertaken under Lord Lovelace. He was informed just before his death

that the government in England was fitting out an extensive expedition. Colonel Samuel Vetch was to organize the American end of it, and the governors of New York, New Jersey, New England, Rhode Island, and Pennsylvania were to co-operate with him in raising levies of men and procuring supplies from the legislatures. Lord Lovelace died before Colonel Vetch arrived, but the work went on under Lieutenant-Governor Ingoldsby.

Considerable opposition was developed in the Pennsylvania and New Jersey Assemblies, because of the prevalent Quaker element. But the New York legislature pledged itself to raise ten thousand pounds, and early in the summer of 1709 its contingent of militia was already on the way. Indeed, whatever some legislatures might do, the people everywhere rose *en masse*, and Bancroft assures us that at one time during the war one-fifth of the entire population able to carry arms was enlisted, fired with an extinguishable "willingness to exterminate the natives."



PETER SCHUYLER.

The plan of campaign, as detailed in England, was to consist of a naval attack on Quebec and a land attack on Montreal. A squadron of ships, carrying five regiments of regulars, was to start from England and be in Boston by the middle of May, 1709, whence, re-enforced by twelve hundred men of New York, it was to sail for the St. Lawrence. The land expedition was to number fifteen hundred men, who were to rendezvous at Albany and go up the old way, per Hudson and Champlain valleys. The chief command of this part of the enterprise was to be given to Colonel

Francis Nicholson, who had hurriedly left his post in New York twenty years before, at the uprising under Leisler. Colonel Vetch was to be his second in command, and his services were valuable because of his familiarity with the country to be traversed. He had been a resident of Albany, was married to a daughter of Robert Livingston, and had been dispatched at one time to Quebec to negotiate an exchange of prisoners, on which occasion he had diligently exercised an excellent pair of eyes and a good memory for future uses such as these.

On June 28, 1709, Colonel Nicholson marched his little army of fifteen hundred men, attended by a contingent from the Five Nations under Colonel Peter Schuyler, from Albany into the northern wilderness. At Stillwater he crossed the Hudson, and then advanced across the interval of forest until he reached the head of Wood Creek, flowing into the southern extremity of Lake Champlain. The army never got any nearer Canada than this camp on Wood Creek. Here it awaited news from the fleet to come from England, without which Nicholson could not move. Due in Boston in May, it had not yet reached there when Colonel Vetch arrived in July to ascertain its movements. In August a solitary dispatch boat entered the harbor, informing the enthusiastic colonists that the fleet had gone to Lisbon to aid the Portuguese. This news reached the army on Wood Creek in September, and it put an end to the second Canadian campaign.

It had suffered a frightful loss of life from disease, caused by the aimless detention in the wilderness, and some either intentional or accidental fouling of the waters of the creek. Besides, the burden of a great debt, incurred as now perceived for naught, lay grievously upon the various colonists. It seemed like wanton mockery or deception on the part of the mother country. At any rate, the cause of the colonists, their dangers, their needs in this war, seemed to be oppressed by a monumental indifference on the part of the people at home. The failure of the expedition had also had a bad effect upon the Indian allies of the Five Nations,

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undermining their faith in the power of England to sustain them in their opposition to the French in Canada.

For these reasons a unique experiment was decided on by a citizen of New York province. Peter Schuyler, the friend and idol of the Indians, was resolved to retain their confidence in England; and at the same time was bound to rouse the torpor of the mother country into some sort of active interest and sympathy. He would force the Canadian question upon the attention of the English government and nation. Therefore, toward the close of 1709 he embarked for England, taking with him at his own expense five chief sachems of the Five Nations. It indicated immense confidence in Schuyler on their part, that they should have consented to undertake so unusual a journey, and one still so full of mystery to them. But the wisdom of the measure was more than justified.

The Indian sachems (kings as they were dubbed in England) were overwhelmed with astonishment at the splendors of the court, and the evidences of power everywhere apparent. And on their part the English nation was certainly roused out of its indifference. Great crowds followed them wherever they went. By order of Queen Anne, mantles of scarlet embroidered with gold lace were made for them, in which to appear at court. They presented her with belts of wampum in renewed pledge of fealty against the French. She ordered their portraits to be painted by a Dutch painter, Jan Verelst, residing at court, of which were made mezzotint prints, and nearly two hundred copies sent over to America in 1712.

The visit stands immortalized even in English literature, for on Friday, April 27, 1711, came out No. 50 of the "Spectator," with an article on the "Indian Kings," who "were in this country about a twelvemonth ago," from the pen of Addison himself. And Dean Swift declared that he had intentions of writing a book on the same subject. And then to make the story complete, English historians, with that injustice characteristic of them when the colonies are referred to, quietly rob the American

Schuyler of the glory of this brilliant and effective undertaking, by ascribing the whole scheme to Colonel Francis Nicholson, who happened to return to England in the same ship which carried over the five Indians and their friend Quider.

In the spring of 1711 preparations were made for the third Canadian campaign. The plan was an exact repetition of the former one. The colonial land forces, again under Nicholson's command, were to assemble at Albany, and a large fleet from England was to sail to Boston, there take up the Massachusetts troops, and then direct its course into the St. Lawrence. Several important circumstances distinguished this third expedition from the former one. In the first place, the fleet came to Boston as the one before did not, and it was much more formidable, consisting of nine ships and sixty transports, carrying seven regiments of regulars, or fifty-five hundred men. To these were added fifteen hundred provincials. The land forces under Nicholson also numbered more than before, amounting to four thousand troops.

But the issue of this third campaign was lamentably like that of the first and second. Admiral Sir Hovenden Walker, scorning some practical advice given by mere colonists, ran ten of his transports upon the rocks at the entrance of the St. Lawrence, and nearly nine hundred men perished. It was not a very serious loss, but the men at the head of the naval expedition were court favorites and nothing else, and they were easily discouraged. The great fleet turned back, making haste to get to England.

Colonel, now General Nicholson, had in the meantime gone up the usual route from Albany to Lake Champlain, and was encamped again on Wood Creek, waiting for news from the fleet, as in 1709. When it came there was nothing for him to do but to march back to the settlements and dismiss his four thousand men. A heavier debt than before only made the colonists' disgust the more intense, and it was hard to keep themselves in countenance with their Indian allies. However, only two years

later the peace of Utrecht (1713) put an end to the war, both in Europe and America, and no occasion arose to try another Canadian campaign.

The Assembly had had a chance of only one encounter with good Lord Lovelace. The long term of Governor Hunter gave him plenty of opportunities to get a taste of their temper in the contest which they had initiated against the royal prerogative. There was, of course, the matter of finance and revenue, and the vexatious way of doling out piecemeal by the year and for specified purposes and persons. Hunter had orders from home as Lovelace had, to get them to depart from that practice, and the orders remained uncomplied with when presented to the Assembly.

The legislature took a bolder stand still, on the broader ground of their right to legislate in general. When the threat was made to curtail or abrogate this as a punishment for their disobedience, they hesitated not to assert that their right to legislate was an inherent one, belonging to them as freemen, inhabitants of English colonies, which gave them all the right of English subjects. The right to make their own laws and to vote on the expenditure of their own money, as well as on the methods of raising it and the amount, was not based on any concession or grant of the crown, but on "the free choice and election of the people, who ought not, nor justly could be, divested of their property by taxation or otherwise, without their consent."



THE ALBANY SEAL, 1686.

Doubtless it afforded Governor Hunter some anxiety or annoyance that he could not make the Assembly square with the demands of the crown. But possibly he felt considerable sympathy with their position. He writes extravagantly of his tilts with the Assembly, which would rather argue that he took a humorous view of the situation, and certainly the humor is unmistakable in the following passage in a letter to Dean Swift; "Here

is the finest air to live upon in the universe; and if our trees and birds could speak, and our Assemblymen be silent, the finest conversation, too."

The frequent friction had produced no feelings of resentment against the governor; and when he left his post in 1719, Robert Livingston, then Speaker of the Assembly, voiced the sentiments of that body when he said in reply to the cordial words of Hunter's farewell address: "Sir, when we reflect upon your past conduct, your just, mild, and tender administration, it heightens the concern we have for your departure, and makes our grief such as words can not truly express."

Some facts of a personal nature constitute his successor again an interesting figure among the series of New York's governors. He was quite up to his immediate predecessor in mental status and moral character, a thing that can not be said of those who succeeded him. While not of the nobility of England, he was the son of a father exalted in position, prominent in the counsels of the nation, and high in the favor of its sovereigns. For Governor William Burnet was the son of that Bishop Gilbert Burnet, who was the friend and confidant of Queen Mary, and he possessed also a goodly share of the confidence of King William. It was due to his intervention that William and Mary were led to understand each other, whereby former estrangement was removed, and a beautiful devotion to each other became the rule of their existence. William Burnet was born at The Hague in March, 1688, and he bore the name of the Prince of Orange, who was sponsor at his baptism. It may have been a source of some gratification to the Dutch element in his province that his nativity was attended by these auspicious circumstances. He grew up under the tutelage of his father and of his father's distinguished friend, Sir Isaac Newton, and imbibed tastes of a mingled literary and scientific character. He brought with him a telescope eighteen feet long, and with quadrant and pendulum of special excellence, he, for the first time, calculated the precise latitude and longitude of the fort in New York City. A paper of

his on "Jupiter's Satellites" was published in the *Transactions of the Royal Astronomical Society* in 1724.

Perhaps not quite so commendable was his dabbling in theology and biblical interpretation, whereby he was seduced into vagaries about the proper reading of the prophets and into predicting certain events from the book of Daniel. One chronicler tells us that "he was the terror of young preachers, for, no matter if they had been licensed by the bishop of London, the governor would give them a text and a Bible and shut them up in a room for a certain time to prepare a sermon, and if it did not satisfy him they were not suffered to preach in his dominions."

In spite of these bookish tendencies, Burnet had not been without experience in public affairs. He held the office of controller-general of the customs of Great Britain at the time of his appointment as governor of New York, with a salary of £1,200. The change of positions was the result of a sort of barter between himself and Governor Hunter. They were kindred spirits in many ways, and warm friends, and when the latter wished to return to England he proposed to let Burnet have the governorship, while he should become controller, although the salary was less. The Lords of Trade ratified the exchange, the two men being equally favorites at court. Queen Anne had died in 1715, and the first George of Hanover was now king. He appointed Burnet governor on April 19, 1720. Sailing from England on July 10, he arrived at New York in September.

Aside from the many qualifications calculated to make him acceptable to the people of his government, he was in a condition to make himself endeared to the community by a peculiarly intimate relation with some of its members. Burnet was only thirty-two years old, but he was already a widower. A half year or more after his arrival the town began to talk of his devotion to one of its fair maidens, Miss Maria van Horne, twenty years of age, and one of the belles of the colonial capital. They were married in June, 1721. "The worthy citizens of New York," a lady assures us, "were much elated at this compliment to native charms and

beauty, and accepted it as if bestowed on themselves, rather than on the bride."

A glimpse of the manners of the day is afforded by the same authority: "The honeymoon was spent at the Livingston manor house, which was put at the disposal of the governor, and the bridal party went up the river in their yacht, but on their return they drove down the banks of the Hudson in their own chaise, making the journey leisurely and stopping at the houses of their friends." Only six years of happiness were allotted to the pair, for on August 7, 1727, Mrs. Burnet died in giving birth to her third child. The governor was inconsolable at the blow, and he survived his wife only two years and one month, dying at Boston on September 7, 1729, aged forty-one years.

Governor Burnet addressed himself to the task of stopping an abuse which illustrated the integrity and unselfishness of his character, but which brought him much bitter antagonism. It was a dangerous thing to interfere with the "honest" Dutch citizens of the province in their peculiar trade methods, for the region of their pockets was a very sensitive portion of their anatomy. The commerce of the province had not as yet attained formidable proportions. In 1692 the total revenue of the province derived from the activities of commerce and other business from customs excise, quit-rents, weigh-houses, and fines was £3,202, 17s., and it maintained itself at this average for several years. In 1700 the total revenue had risen to £5,400, and again for several years in succession it kept up an average of about that figure.

As for that important department of industry—manufactures—it was deliberately and systematically discouraged by the authorities at home. The people of New York were eager and ready to put forth their energies, and enterprise, and wealth along this line; but they were solemnly forbidden to do anything "to the prejudice of our manufactories at home." Nevertheless, their hands could not be kept altogether idle. Caleb Heathcote, of the council, a large landowner in Westchester County, wrote to the

Lords of Trade in 1708 that the people of the province were "already so far advanced in their manufactories that $\frac{3}{4}$ of ye linen and wollen they use is made among them, especially the coarser sort."

He himself was anxious to engage in ship-building. "I hoped and believed, and am morally sure," he wrote, "as to myself, even beyond a doubt, that I could have built and furnished the crown with all the light frigates that would have been wanted for this coast and the West Indies." He was not permitted to do so. Business greatly improved after the Peace of Utrecht in 1713.

Between the years 1717 and 1720 the imports from year to year rose to the average of £21,254 worth of goods; while the exports of various kinds attained the average annual amount of £52,239. The one item of furs alone was represented by £8,443 per annum.



THE PHILIPSE MANOR HOUSE.

It was just this part of the export business that Governor Burnet felt in duty bound to assail, for it involved certain practices wholly reprehensible from the statesman's standpoint, however desirable from that of the merchant bent on gain without regard to means. The furs sent abroad by New York merchants were obtained from traders at Albany, who, in their turn, secured the valuable peltries to a large extent not by the vigorous pursuit of the business in the far western forests, as had been done of yore, but by the more easy and profitable method of luring the Canadian Indians down to Albany and giving them in exchange

the usual goods that Indians prized so highly, and which were obtained again from the importing merchants at New York.

Francis Parkman describes the process as follows: "The converted Iroquois at Caughnawaga played a peculiar part. . . . By way of Lake Champlain and the Hudson they brought to Albany furs from the country of the far Indians, and exchanged them for guns, blankets, cloths, knives, beads, and the like. These they carried to Canada and sold to the French traders, who, in this way, and often in this alone, supplied themselves with the goods necessary for bartering furs from the far Indians. This lawless trade went on even in time of war. . . . It was injurious to English interests; but the fur traders of Albany, and also the commissioners charged with Indian affairs, being Dutchmen converted by force into British subjects, were, with a few eminent exceptions, cool in their devotion to the British crown; while the merchants of the port of New York, from whom the fur traders drew their supplies, thought more of their own profits than of the public good. The trade with Canada not only gave comfort and aid to the enemy, but continually admitted spies into the colony, from whom the governor of Canada gained information touching English movements and designs."

Evidently an honest governor of New York must stop this nefarious trade, even at the risk of incurring the displeasure of the merchants and traders of the two cities of the province. At the first session of the Assembly Burnet laid before the members a statement of the above facts, pointing out their deleterious attending circumstances, and as the result of his urgency and arguments, an act was passed prohibiting the sale of "Indian goods" to the French, or their Indian agents, upon any terms, under penalty of the forfeiture of the goods and a fine of one hundred pounds. The fur trade now again fell into a greater number of hands instead of being a monopoly; and the one article of "strouds" rose at Montreal from thirteen pounds to twenty-five pounds apiece, while at Albany it was only ten pounds.

Thus it became an advantage for the fur traders to avoid Montreal and come to Albany for their goods, getting more and better for a less amount of peltries. It put an end also to the constant incursion of French spies. But the big importers who had enjoyed a monopoly of the fur trade vowed vengeance upon the honest and patriotic governor, and succeeded finally in getting him removed. Yet the effect upon business in general of the governor's policy was obviously beneficial. From 1720 to 1723, while imports remained at the figure previously quoted (or £21,254 annually), exports increased to an average of nearly £55,000 yearly; while during the years 1723 to 1727 the annual average of imports became £27,480, and of exports £73,000. There still lingered upon the high seas the bane of piracy, so that in this way commerce remained hampered. But what Professor Fiske calls the "Golden Age of Pirates" was nearing its end, so that, as he says, "by 1730 the fear of pirates was extinguished."

Burnet did not propose to deal with the Indian question by acts of legislature alone. His Indian policy included energetic personal efforts, and various measures of sound practical utility for the present as well as for the future. There was, in September, 1721, the customary conference between the governor and the general council of the Five Nations, who, by this time, however, had become the "Six Nations." The tribe of the Tuscaroras had their ancestral home within the bounds of the colony of North Carolina. They resented the influx of colonists increasing with the growing years, and determined to make one bold stroke for the recovery of territory they deemed their own. The stroke took the form of indiscriminate massacre and incendiarism without the formality of a declaration of war.

In return a force of six hundred determined whites marched into the forest, sought out the stronghold of the tribe, defeated them with a loss of three hundred of their warriors in battle, besieged, took, and burned their castle, so that a thousand of their number paid the penalty for their assault on the settle-

ments. They recognized their cause as hopeless, retired from North Carolina, and asked to be taken into the league of the Iroquois, who were their kindred. The remnant of the Tuscaroras was thus incorporated and became the Sixth Nation, taking up their abode in New York State in some part of the Long House between Schenectady and Niagara, that was getting gradually reduced to shorter measurement. This event occurred about 1713.

Governor Burnet, therefore, met chief sachems of the enlarged confederacy when he went to Albany in 1721. A very numerous company of Indians attended the council, and he was duly invested with the ancient title of Corlaer. Philip Livingston, the son of Robert Livingston, was appointed Indian superintendent in the place of his father, at the latter's request, as he began to feel the burden of age. The governor also utilized the son of Peter Schuyler to carry on the traditions of another family in the way of treaty with the Indians. He established a trading-post on Lake Ontario, and placed it in charge of eight young men, under the leadership of Peter Schuyler, the younger.

Burnet's persuasions at the conference bore gratifying fruit. He had asked the Iroquois "to open a broad path and sweep it clean for the far Indians to come through to Albany." The very next spring twenty of the tribes of the far west, bearing precious furs, came through the territory of the Long House to Albany; and in June no less than eighty arrived there, having come a distance of a thousand miles, leaving Montreal and the French traders far to the north. This was exactly what Burnet had aimed at in stopping the former methods of the Indian trade. He added to the offense awakened thereby in the minds of the interested parties by making still further provisions for honest dealings with the untutored savages.

It had been the custom for the traders at Albany to take the Indians having peltries to sell into their houses, and there plying them with the rum they loved too well to effect more profitable bargains. At Burnet's instance the Assembly passed an act

Fort William July 21st 1840: —
 Ensign John Adman —

I = having received your Commission & partly understand your
 grievance & threatening of your authority for having punctually
 observed y^r same according to y^r request & Covenant made with
 Connecticut Plymouth & Boston & by y^r two latter absolutely
 Brooke I have here Inclosed sent you y^r request attested also y^r
 Copy of y^r Letter delivered to me by Connecticut's agents wishing
 be of Service to you I send you also two Evidences whereby
 it may appear what Inclination Livingstone had for our
 thing whereby can be judged what may be expected from him
 for his Interest also one Evidence how he desired to have
 had y^r Copy of his ^{best for his promise} Letter w^{ch} he could not have had
 as yet it had been broken up by y^r messenger & Livingstone
 is y^r person to whom a mitib, Credit is given & w^{ch} whose
 mitib is consulted in your Parts Concerning y^r Albany —
 Expedition there is great Ground to suspect him & on Albany
 that some Private Instruction is given to y^r Cap^t & others
 ago. Commission & of Court. I could send you what we had —
 agot^t Mr. Allen of w^{ch} we have Complained to your
 authority but not regarded but I am left to be y^r cause of
 Disord^r in your Parts therefore forbear & if our forces were
 not departed for yours so faithful, honest & neighborly —
 offering your Commission & therefore blamed would have
 willingly Commissionated you. You deservin a better Place
 I shall certainly think on you if any Disportment of so
 from I shall see Albany Proceeding shall send you all
 what may be Judged need full for you I have writ to y^r
 Govern^r in your Service & acquainted him that I was
 Sentid^{le} of y^r abuse you received therein & for my respects
 I remain
 Yours friend —
 Jacob Leisler

in 1723 ordering that two large wooden houses be erected where the trade with the Indians must be publicly conducted. Under the lead of Governor Burnet, also, a congress of governors and commissioners was called at Albany in 1722 in order to consider the question of dealing with the Red Men. New York always enjoyed the immense advantage of the friendship and alliance of the most powerful and most nearly civilized confederacy of Indians, and the aim of this conference was to secure the assistance of the Six Nations in restraining the hostilities of the tribes of the east who were so constantly harassing New England.

It was not wise to depend upon the volatile Indian allies alone, however, although they had often proved a safeguard and a bulwark against white and red enemies from Canada. Hence Burnet induced the Assembly to provide for the repairing of the fortifications at Albany and Schenectady. He also set about carrying out a scheme recommended at the conference of governors: to establish a chain of fortified posts on the borders along the shores of lakes and rivers threatened by the French. Unfortunately this plan was not carried out, because either of the apathy or the poverty of the English colonies. Yet the menace of French invasion was emphasized by their doing the very thing the English should have done. In 1720 they secured the reluctant consent of the Senecas to build a fort on the Niagara River, and in spite of the attempt of the Senecas themselves to stop it, it was done. A still bolder project was the erection by the French of a fort at Crown Point, on the western shore of Lake Champlain, and thus well within the borders of New York province.

To oppose these encroachments of the enemy, a chain of forts should have defended the entire frontier. But the Assembly could not be moved to act in the matter. All that was done, therefore, must be placed to the credit of Governor Burnet alone. He selected a spot on Lake Ontario which had often been the favorite point for a descent of the enemy, either white or red. It was where the Oswego River emptied into the lake. He negotiated for a tract of land here with the natives, who at first de-

clined, but later became more generous and gave to England a strip of territory sixty miles wide, running all along the banks of Lake Ontario, Niagara River, and Lake Erie, from the Oswego River to Cleveland, in Ohio. This would have given the English a great chance for establishing their chain of forts.

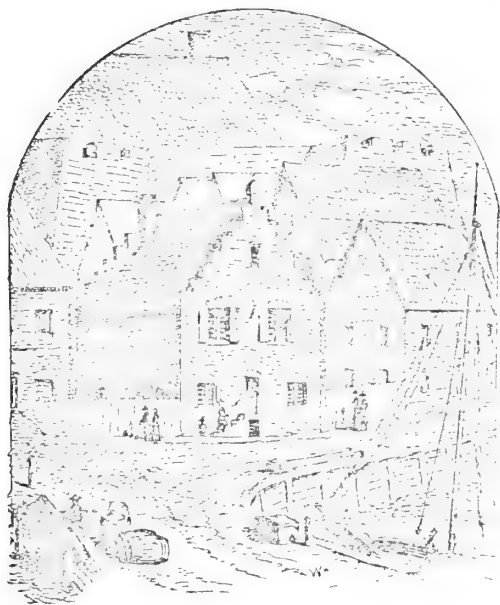
Burnet, however, could get an appropriation of only £300 for a fort at the mouth of the Oswego. But he had the matter so nearly at heart that he went on nevertheless and constructed, at an outlay of £600 of his own money, a stone blockhouse, loop-holed for defense by musketry. A small garrison was quartered there, composed of men drawn from four different companies, maintained in the province, at the cost of England. The spot was judiciously chosen. The French of Canada were almost tempted to risk a renewal of the war, in order to destroy it. When open assault was deemed inexpedient, they tried to persuade the Six Nations to destroy Fort Oswego; but here, too, they were foiled. The English fort completely neutralized the advantage previously secured to the French by building Fort Niagara.

Just as Governor Burnet had expected, Oswego became the center of the Indian trade, quite to the neglect of the more western French establishment. A little greater angle in crossing Lake Ontario brought the traders to Oswego, and thus nearer their market at Albany, saving a great portion of an inconvenient land-route, and by means of the Oswego and other rivers and lakes, with short portages between, affording convenient access to their destination. Thus, in the year 1727, was made a beginning of one of the cities far west of Albany. It was a lonely post for civilized men to occupy, but nature had marked it out, not only as a vantage ground in war, but as an advantageous seat for commerce and manufacture.

In the course of our narrative thus far, we have noticed a cordial support of Governor Burnet in all his measures by the Provincial Assembly. The Assembly, indeed, seemed to have been so impressed with the honest and unselfish character of the governor that they even allowed themselves under his rule to

take a backward step in their pronounced policy on the annual revenue. They granted him the revenue for a term of five years at once, for which neither Lovelace nor Hunter had been able to obtain a moment's consent. He departed from the usual custom of dissolving an Assembly on the arrival of a new governor, retaining the one elected under Governor Hunter in 1714. It was thus in existence for the extraordinary term of eleven years.

Yet while this secured harmony in the lower legislative body,



JACOB LEISLER'S RESIDENCE, THE FIRST BRICK HOUSE ERECTED IN NEW AMSTERDAM, BUILT BY BALDWIN VANDERVEEN.

and made them cordial in their support of Burnet's measures, as related, the question of dissolution raised against him formidable opponents in the council. Peter Schuyler, Adolph Philipse, and five others very strongly urged that the customary course be taken. The governor not only refused to take their advice, but threatened to report Schuyler for having permitted the slight irregularity of placing the provincial seal in the custody of Philipse,

whereas he himself, as president, should have retained it. Such a threat was too much for the high-toned and spirited Schuyler, upon whose name there never was the slightest breath of reproach. He resigned from the council, as did also Philipse and the others on their side. In the stead of the two former, Burnet recommended two men destined to play an important part in the history of the colony—Dr. Cadwallader Colden and lawyer James Alexander.

It is to be regretted that Governor Burnet awakened against himself the antagonism of so respectable a person as Peter Schuyler. His aims were so noble, and his efforts to secure proper legislation so patriotic, that he needed the support of the best men. For, as the result of his effective measures against the French trade, he soon drew down upon him the by no means despicable hostility of the men who had been injuring the State for the benefit of their pockets. They gave him every possible annoyance at home, and abroad they were tireless in their endeavors to get the king to disallow the Act of the Assembly that had stopped their business, and finally the authorities in England were blind enough to accede to their representations, and repealed the act in 1729.

When the end of the five years for which the revenue was granted approached, and the governor asked that another grant be made for three years, his enemies had secured sufficient following even in the Assembly to defeat the passage of the act. Thereupon Burnet finally dissolved the "long Assembly," as it might have been called. The newly elected Assembly met in September, 1726, and was still more inclined to antagonize the governor. Adolph Philipse had been made speaker of the previous Assembly, and was elected again at the present session. The opposition complained of the establishment of the Court of Chancery, presided over by the governor, which they claimed he had illegally created without the consent of the Assembly, and was a menace to the liberties of the people.

They were also aided in their schemes to get rid of the governor by the change of kings. In 1727 George II. succeeded to the throne, and it was soon known that Burnet was no favorite of his, but that he had the governorship of New York in mind for one who was a close personal attendant. Thus at last came the order which ended Governor Burnet's term in New York. Against his wishes not only, but in the face of his express petition to be retained in the government of New York, he was transferred to Massachusetts. His disappointment was the more keenly felt in

that it fell upon a heart made sore by the death of his youthful wife. Soon after the arrival of his successor, in April, 1729, he departed to his new seat of government at Boston.

His career there was not a prosperous one. He was instructed to insist upon a grant of revenue for five years, and it was persistently refused. The struggle, however, was not destined to be for long. On driving on the narrow causeway between Boston and Cambridge, the tide being particularly high and partly covering the road, the carriage struck a hole and upset. Burnet fell into the water and caught a severe cold, which ended fatally on September 7, 1729. He was but forty-one years old. The testimony of the historian, Smith, expresses the sentiment that rose again to the surface when party spirit had ceased to warp hearts or blind eyes in New York province: "We never had a governor," he writes, "to whom the colony is so much indebted as to him."



LEISLER'S AUTOGRAPH AND SEAL.

CHAPTER VII.

THE PRESS IN CONFLICT WITH GOVERNMENT.



E have now fairly entered upon the period of the "four Georges." If there was anything inspiring or great about that section of English history, it was not due to the four sovereigns who bore the name of George in succession. No more fearful arraignment of their mental incapacity and moral baseness or brutality is to be found anywhere than in the novelist Thackeray's lectures or essays bearing the title of "The Four Georges." Yet he simply recites facts in their personal bearing or history, without any attempt at pasquinade or denunciation. He sums up their merit as rulers in a brief sentence: "It was lucky for us that our first Georges were not more high-minded men. Our chief troubles began when we got a king who gloried in the name of Briton, and being born in the country proposed to rule it. He was no more fit to govern England than his grandfather and great-grandfather, who did not try."

Of this array of noble kings, perhaps as little respectable as any of them, was the man the opening of whose reign inaugurated a new administration for New York. When he has laid George II. away in his tomb, Thackeray says of him: "Here was one who had neither dignity, learning, morals, nor wit; who tainted a great society by a bad example; who, in youth, manhood, old age, was gross, low, and sensual." An American writer, playing on the phrase that George II. was "by the grace of God king," etc., remarks: "Very few kings have had less claim to the

grace or favor of any one, human or divine. He was selfish, cruel, a bad son, a bad husband, ignorant, narrow, vain. His ministers and friends in general were not unlike him."

This last observation is particularly in point as we reflect that it was to make way for a favorite and personal attendant that so excellent a man and governor as William Burnet was removed from the government of New York. The province had had its share of good, bad, and indifferent chief magistrates before that irretrievably bad specimen, Cornbury. But after him there had now been a series of excellent selections in Lovelace, Hunter, and Burnet. Subsequently we shall see that a policy seemed to prevail and to be put into frequent practice that a bad appointment from England was better than a decent and acceptable governor who might offer from among the colonists.

John Montgomerie, Esq., who was appointed governor of New York by George II. immediately upon his accession, was a native of Dumfriesshire, Scotland, and some historians decorate him with the title of colonel. Whatever may have been his record as a soldier, he was now a civilian, occupying a seat in Parliament. He was also a courtier, in close personal relation to the king as groom of the bedchamber. This, according to the hint cited above, would argue for the new governor neither great mental capacity nor much moral elevation. Yet Montgomerie's brief career in America did not reveal any departures from moral rectitude, and while he lacked brilliancy of mind he was not a fool, if we accept the principle which we saw laid down recently that a man who is a fool is not a fool if he knows he is a fool. Governor Montgomerie was consciously dull of apprehension, and frankly said so, declining to exercise the functions of president of the Court of Chancery, of which Burnet was so fond, and whereby he made himself so obnoxious. Montgomerie, therefore, gained immense popularity by his sensible abnegation. And his neutral character also gave him less trouble than the others had with the Assembly.

About the middle of December, 1727, Governor Montgomerie

sailed from England on his way to New York. It was a very bad time of the year for a sea-voyage, and Lord Lovelace's advice on the subject seems to have been entirely disregarded. Yet the wisdom of it was justified by this, his successor's, experience, as he was not less than five months in reaching his destination. A little over five days does the business for us to-day. On April 15, 1728, therefore, Montgomerie landed at New York. He at once appeared before the assembled people and had his commission read, and as New Jersey was still placed under the same government with New York, as in the case of so many previous governors, a week later he went to Perth Amboy and published his commission there. The Assembly elected upon the writs issued by the retiring governor had not yet met, and upon everybody's advice was dissolved, and a new one called for, which did not meet till late in the summer.

Brief as this governor's term was destined to be, there took place in it one of the most notable conferences with the Indians of the Six Nations. Montgomerie first went to Albany, and then to Schenectady, the coun-

cil fires being lit at both places, and the high-flown eloquence of the palaver resounding now in one place and now in the other, as the sachems and the governor vied with one another in politeness, and one or the other by personal attendance sought to follow up or outdo the courtesy of his ally. In details or in effects there is nothing to be said to distinguish this conference from so many others. It lasted from October 1, 1728, to about the fifth or sixth of that month. The speeches are all recorded in the documentary collections of the State, and those which were intended to convey the tender sentiments of King George II. toward his red-skinned confrères must have drawn largely upon the imagi-



LORD BELLOMONT.

nation of the speakers. At any rate, Montgomerie did what so many had done before him: he kept "the rust off the chain" that linked the Indians of the League to the interests of England.

In the history of New York City the name of Montgomerie stands forever attached to an instrument that has had a very vital connection with the progress of the metropolis. This is the "Montgomerie charter," succeeding Dongan's of 1686, and extending the number of the city's officers, giving it a more perfect organization and a larger number of valuable privileges. It remained practically the basis of the city's government far beyond the Revolution, and for some decades into the nineteenth century.

When this charter was granted, in the year 1731, the city had not yet reached its first ten thousand in population. It had extended its lines of habitation above Wall Street, where whole streets had been laid out and built upon, with a few church buildings of some pretensions to adorn them. A stage line was projected between Philadelphia and New York, although it does not appear to have been in actual operation till a year or more later. The commerce of the embryo metropolis was as yet of modest proportions. During the five years preceding Montgomerie's advent, imports varied from a little over twenty-one thousand pounds, or a hundred thousand dollars, to as many as thirty-eight thousand pounds and over, or say less than two hundred thousand dollars, which was the highest figure attained, and is credited to the year 1725-1726. In 1728, when he began his administration, the figure had fallen down again to one hundred thousand dollars. But the exports that year were higher than in any of the previous five (or £78,561), excepting that very active twelvemonth ending in 1726, when the export business of the little port reached £84,850, leaving a goodly "balance of trade" for the colonial merchants.

Life was comfortable and satisfying under these circumstances, and men and women had a chance to grow rotund and jolly, as tradition pictures the early Knickerbocker. Thus speaks his-

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Carl Linnaeus
[Decorative flourish]

torian Smith of what he saw with his own eyes in 1732: "The men collect weekly at their clubs in the evenings, and the ladies in winter frequently entertain, either at concerts of music or assemblies, and make a very good appearance. . . . The richer sort keep very plentiful tables, abounding with great varieties of fish, flesh, and fowl, and all kinds of vegetables. The common drinks are beer, cider, weak punch, and Madeira wine. For dessert we have fruits in vast plenty of different kinds and various species."

And back of the growing and prosperous little capital, the interior of the province was feeling the glow and stimulus of development by increasing population and consequent cultivation. Albany County had in 1731 nearly as large a number of inhabitants as New York County itself, or over eighty-five hundred, but then, of course, it covered more than half of the present territory of the State. Ulster had a population of thirty-seven hundred, and Orange of not quite two thousand, while Dutchess stands last upon the list of counties with only about seventeen hundred people. Long Island rejoiced in a thriving population of between seventeen and eighteen thousand souls. Thus the whole province at the time now under discussion numbered fifty thousand two hundred and eighty-nine.

Yet, while advancing, the province of New York was outstripped by its neighbors. Little Connecticut had many more people in it at this time. William Smith attributes this slower progress to the fact that New York was made a sort of Botany Bay for the transportation of criminals from England. Almost every ship arriving advertised that it had on board men and women whose "time" could be bought, which meant a sort of white bondage or slavery for people who had forfeited their liberty on the other side. New York also suffered the disadvantage of an exposed frontier, peculiarly attractive to French and Indian raiders. And a circumstance contributing not a little to discourage settlements in New York on a large scale was the prevalence there of immense holdings of land by in-

dividuals who had the power to exercise almost feudal rights over those who would occupy any part of their territories.

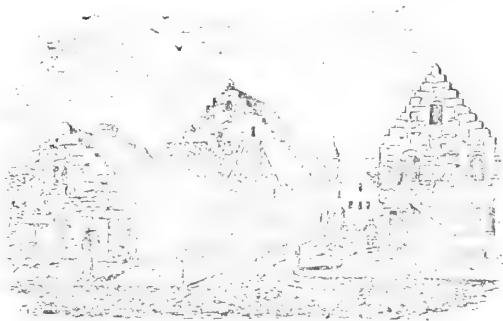
One public act during Montgomerie's term is worthy of especial notice: The boundary line between New York and Connecticut had often been a subject of dispute. It had run along the Connecticut, and then later been drawn further west. When Englishmen owned the territory on both sides of it, it was just as far from settlement. For a while a line drawn twenty miles east of the Hudson was accepted as dividing the colonies. In May, 1731, under Montgomerie's mild rule, with a spirit of conciliation filling the air, an agreement mutually satisfactory was finally arrived at. "A tract of sixty thousand acres," says Lossing, "lying on the Connecticut side of the line, and from its figure called the Oblong, was ceded to New York, and an equivalent in territory near Long Island Sound was surrendered to Connecticut. Hence a divergence from a straight line north and south seen in the southern boundary between New York and Connecticut. The Oblong is nearly two miles long."

Montgomerie was the fourth governor of New York to die at his post. During the summer of 1731 the scourge of the smallpox visited New York, as it so often fell upon communities of civilized people in Europe and America before Jenner's remedy had been applied to check or moderate its ravages. Within a few weeks five hundred out of a population of only nine thousand fell victims to the disease. It is not positively stated that the governor was attacked by the scourge, but several circumstances point that way. If Queen Mary, in the comparative seclusion of a palace, could not escape the smallpox in 1694, a governor's mansion would be no safeguard against the infection. On June 30, 1731, he wrote his last letter to the Lords of Trade, and on July 1 he was dead, at five o'clock in the morning. Thus whatever were the cause of death, it was no lingering disease, and may have been that which was raging all through the little town.

As his demise necessitated the making of an inventory of his effects, we gain therefrom an interesting view of the pomp and

circumstance attending a gubernatorial magnate in colonial times. Montgomerie died a bachelor, and yet his domestic appointments included many elegant luxuries. The governor was the possessor of sixteen horses, for which there were sets of costly silver and gold bedlight harness for occasions of state. He had also a coach and a chaise. There were wines and liquors in the gubernatorial cellar to the value of twenty-five hundred dollars; and for a man of no such learning or literary tastes as Hunter and Burnet had, a library of fourteen hundred volumes was rather a surprising piece of property. There was also a barge of state, elegantly upholstered and covered with gayly colored awnings and silk hangings. "Loving his ease, he allowed public affairs to flow on placidly, and during the three years of his administration nothing of special public importance occurred."

One hour after Governor Montgomerie's death, at six o'clock in the morning of July 1, 1731, the council of the



SITE OF THE MILLS BUILDING,
NEW YORK, IN 1690.

province devolved the government upon one of its own number. It had been summoned to the mansion in the fort during the night, when the governor's death became imminent. It does not appear that the dying man was able to convey any directions as to the succession. But among his instructions was found the provision that in such an emergency as this, the oldest member of the council, who, always by virtue of that fact, was its president, should assume the office as acting-governor, until the arrival of a duly appointed and commissioned successor from England.

This in the present case happened to be Mr. Rip van Dam. He had entered the council in 1702, or twenty-nine years before. He was now about sixty years of age, and had been born at Albany,

where his father had been known as a successful trader among the Indians. In 1690 Rip van Dam was already in New York City, and he was one among prominent merchants who were manifesting their antagonism to Leisler. This political affiliation was confirmed by his opposition to Lord Bellomont, from whose vigorous execution of England's trade laws, van Dam, as an owner of vessels, of the average or fashionable honesty of the day, necessarily suffered annoyance and loss. He entered Cornbury's council, therefore, as a pronounced anti-Leislerian, little dreaming that when he himself should have become an executive he would give occasion to the formation of a popular party in flagrant opposition to the government.

In 1731 van Dam was possessed of large wealth, handsome and aristocratic in personal appearance. He had married into one of the New York City families, and some of his children were allied by marriage to the Beekmans and Bayards of the town. The baptismal records of the Dutch church show a list of fifteen children born to Mr. and Mrs. Rip van Dam, but these did not all attain to maturity. It was a proud day for that church and all for the Dutch community when one of their own number thus became acting-governor. Religious services were still conducted in the foreign vernacular, no English pastor being called till more than thirty years after this, or in 1764. At home, too, Dutch was still the medium of familiar intercourse, and so thorough a Dutchman, indeed, was his excellency, the governor *de facto*, that it was said of him and of another member of the council, as to their facility in the use of the official language: "If they understand the common discourse, 't is as much as they can do."

If the nation is happy that has no annals, then perhaps New York must be felicitated upon the lack of history under Montgomerie. It experienced, however, plenty of "annals" after the administration had come into the hands of his successors. Unconsciously to himself, and all unawares to all those who rejoiced in the rule of thirteen months accorded to their fellow-townsmen

or fellow-colonist, these more lively and history-making experiences began with Rip van Dam. Troubles that shook the city and the province, and that led to the assertion of popular rights of the most far-reaching consequences, date from his assumption of the government.

These troubles had their origin in the simple, almost perfunctory settlement of one obvious item, that of the fixing of his salary, about which there was no dispute whatever at the time. Yet in view of what grew out of it later, it is interesting to note what was done about it then. On September 3, 1731, was to be passed the warrant for two months' salary of the acting-governor. A salary seems to have been the last thing to enter the minds of council or governor at the appointment, for even now none were ready to act upon it. The subject was referred to a committee, of which Councilor Stephen De Lancey was chairman, to report at a full meeting of the council. A message was also sent to the speaker of the Assembly, who decorously replied that this body would leave the determination of the question to the Upper House.

There was no haste in the decision, evidently, and doubtless Rip van Dam managed to exist during the suspense. Not until February 7, 1732, do we find this entry upon the minutes of the council: "The Warrant for the payment of the Presidents Salary being this Day moved to the Board and the reasons for and against the Presidents having the whole Sallary Settled on the late Governour being read and Maturely considered of, It is the opinion of the Board that the President is Entitled to the whole Sallary and afterwards a Warrant for paying the President the sum of £390 for his Quarters Sallary after having been read was signed by his Honour." So far so good, but mischief was brewing.

It was during van Dam's term of office that the French accomplished their bold stroke of planting a fortification at Crown Point. They began feeling about for such an exploit as early as 1726, experimenting with various points on the east and west

shores of Lake Champlain. But finally, in 1731, they built Fort Frederick on the spot now bearing the name made historic by the annals both of the French and Indian War, and of the Revolution. Its position was a menace to New York; though surrounded by a vast wilderness, it was far within the actual territory of the province. From that coign of vantage a comparatively easy and swift march would enable the French to strike Albany, whence, with that place secured in the rear, there would be the chance for a descent on New York City.

With the usual fairness and accuracy which old England and New England historians display when they treat of Dutchmen, William Smith succeeds in setting forth the stupidity and slowness of Mr. Van Dam: "Distinguished more for the integrity of his heart than his capacity to hold the reins of government," he intimates that Van Dam never knew what the nimble French had been doing until he was informed by Governor Belcher of Massachusetts. But original documents, now lodged at Albany, tell a different story. Mr. van Dam sent Belcher's letter to the Assembly on February 4, 1732. It was an act of courtesy for him so to do, and it might serve to stimulate that body to prompt action.

But it was not their first information. On September 30, 1731, the acting-governor had sent a communication to the Assembly telling them what had been done at Crown Point, and urging them to act accordingly. And on November 3, 1731, he sent a letter to the Lords of Trade, embodying a copy of an "Act for fortifying the City of Albany." As president of the council under Burnet or Montgomerie, van Dam could not well have stopped the French alone; nor could he now, without England or the province at his back, go up to Lake Champlain and tear down Fort Frederick with his own hands. If his failure to do so constituted incapacity "to hold the reins of government," poor dull Dutchman that he was, we will even have to give in to William Smith and the history-book makers of that ilk.

On February 4, 1732, three days before that action of the coun-

cil fixing Mr. van Dam's salary, the majestic little manikin, George II., appointed as Montgomerie's successor Colonel William Cosby. It was an appointment worthy of the source whence it proceeded, and condemnation of the new incumbent could hardly use language more severe. But his career fully justified the expectations and the judgment which we here record with perhaps some unfair precipitation. Cosby had borne civil office before; he had been governor of the Island of Minorca, off the Spanish coast, and the inhabitants had eagerly petitioned the government to remove him, plainly accusing him of theft.

This little episode did not prevent his being placed in a more lucrative office, where stealing would produce more satisfactory results. He had married the sister of the Earl of Halifax, president of the Board of Trade that had charge of the colonies. One of his daughters was married later to the son and heir of the Duke of Grafton, an



JEREMIAS VAN RENSSELAER.

illegitimate scion of royalty, and there are conflicting accounts whether an open avowal of the match preceded the marriage, or whether it was clandestine. At any rate, when accomplished, it gave Cosby another hold on power to secure him against complaints, whatever he might do.

Before he left England he had secured for the colonists what was deemed a great advantage for them, and it is said he remained in London six months after his appointment in order to accomplish this object. This was the defeat of the Sugar Bill, which was blocked after passing the Commons by Cosby's rep-

resentations to the Lords. In August, 1732, accompanied by his wife, a son, and two daughters, he arrived at New York. The ceremony of induction into office was soon disposed of in the customary manner, consisting of the parade in state to the City Hall in Wall Street, the reading of the governor's commission, the swearing in of the council, amid the salvos of musketry and artillery, and the ready huzzas of the gaping crowds. Thus began Governor Cosby's eventful rule.

The character of the man who had been inflicted on New York was not long in exhibiting itself in its true colors. He was after the money, and all the money possible, that could be got out of the people of his province, and to get that he had secured for himself the governorship. With a brutally plain directness he made this noble aim manifest. While still in England the sum of £750 had been given him for his services in connection with the Sugar Bill. The Assembly had scarcely met when he demanded a larger sum, and it was increased to £1,000, although not without some murmuring.

The grant, even at its present figure, awakened the governor's contempt rather than his gratitude, as his letters to England show. Under the pressure of this greedy impatience the Assembly made the governor's salary £1,560, when it had been only £1,200 before; and for some extra services or expenses he mentioned they allowed him £400. It would seem as if this were a pretty satisfactory accumulation of funds for an ordinary avarice; but the province had to deal with one of an extraordinary capacity. And in carrying his greed to the full limits of which it was capable, Cosby struck the rocks that wrecked his government, and gave a chance for the development of a new power and a new institution among the people—the freedom of the press.

Governor Cosby came armed with an order from the king commanding Mr. van Dam to turn over to his successor half of the salary, emoluments, and perquisites of the office, during the whole of his occupancy of it. As Cosby had received the ap-

pointment only six months before, and van Dam had acted as governor for thirteen months, the outrageous injustice of the command was evident on the face of it. But it was bad work disobeying or criticising a king, even under the four Georges. Mr. Van Dam, therefore, was ready to yield to the order, only he insisted upon the literal fulfillment of it, which called for "an equal partition" between Cosby and himself of what had been received by either in the service of the colony as salary and other perquisites.

He made a showing which revealed that he himself had received in toto £1,975, 7s., 10d. He proposed to surrender half of this sum to Cosby. But then, on the other hand, he enumerated Cosby's receipts, and showed them to have amounted to the much larger sum of £6,407, 18s., 10d.; and he claimed that "the equal partition" ordered by the king must apply to this sum as well. When Cosby repudiated this application, which would have made the rule work both ways, van Dam equally refused to divide his £1,900. And then Cosby brought suit against him for the recovery of his share.

The suit proved remarkable, because in the course of it we are brought face to face with several men of prominence and of commanding influence in the province, at the mention of whose names in connection with it we may well stop a moment for some biographical details, for the history of the province can not proceed for a generation or more after this without constant references to nearly all of them. It was this suit also which drew after it consequences which led to the conflict of the press with the government, a conflict which resulted in a complete triumph for the people.

The suit itself is quickly summarized. It should have proceeded under the common law. But a trial of the case on its merits merely was farthest from Cosby's mind. There was the Supreme, or Chancery Court, and the governor demanded that it proceed according to the rules of English courts in exchequer. Van Dam's lawyers were William Smith and James

Alexander. We have already come upon the latter as a member of Burnet's council in 1720. Both he and Smith came to the colony together in the same ship in the year 1715. They neither of them addressed themselves to the study of the law till after they came to New York, but both attained distinction and wealth in the profession.

William Smith's name is of special interest to us because the earliest history of the province of New York, still an important source for much of our information, was written by a son of the same name, and continued from materials in his possession by a grandson, third of the name, both of these descendants remaining on the side of the king in the Revolutionary struggle of later times, and leaving the country with the Tory exodus in 1783.

James Alexander has a different claim upon our interest. He was a relative of the Earl of Stirling, to whose ancestor the whole of Long Island had been granted by Charles I. in 1636. Alexander came over as a civil engineer, empowered by Henry, fifth Earl of Stirling, to look up his claims in America and establish some right to revenue from these lands. The son of James was that William Alexander who was one of the most distinguished of our Revolutionary generals, and was known as Lord Stirling, because, by a number of changes in the family in England, the title descended to him, although never allowed there. It is a curious coincidence that Stirling's greatest claim to distinction rests upon his magnificent conduct in the battle of Long Island.

In connection with this suit and the proceedings that grew out of it, it is of special value to read Chief Justice Daly's description of these friends and lawyers as they made their appearance in courts and before juries: "Alexander was no speaker," says Judge Daly, "but his breadth of learning and depth of thought and honesty of purpose commanded universal respect and admiration. He possessed the knack of throwing terrible significance into a few well-chosen words at certain times, and was always a formidable antagonist. Smith was a born orator;

speaking was no effort to him, his grandest orations were often impromptu. His voice was musical, which, with an attractive face, fine presence, and great personal advantages, were very effective with a jury."

Smith and Alexander as counsel for van Dam took exception to the transfer of the case to the Supreme Court, as having no jurisdiction in equity. The chief justice of the province, presiding over the court, was Lewis Morris, and we must stop again to say a word about him. He had attracted the attention of Governor Hunter, who had recognized in him a kindred spirit. He had some lands in New Jersey upon which he settled after a career



VIEW OF NEW YORK CITY IN GOVERNOR BURNET'S TIME.

of wandering in foreign parts. Hunter induced him to come to New York and settle upon his paternal estates in Westchester County, where he had been born in 1671. He soon became a member of the council, and in 1715 Hunter appointed him chief justice. He, too, was the ancestor of patriots, among whom Gouverneur Morris occupied a conspicuous place.

It hardly needed the combined learning and eloquence of the two leading lights of the law to make the plea of Van Dam's counsel effective. Chief-Justice Morris could not but agree with them, and decide that the Supreme Court was not the place for bringing such a suit. Then Cosby perpetrated his first act of despotism. Hitherto his inordinate greed had appeared to the

people a sufficient menace; now he began to show his unscrupulous disregard of constitutional safeguards. Cosby summarily deposed Lewis Morris, and appointed James De Lancey chief justice.

Here, again, is a personality and a name inseparable from subsequent New York history, the name continuing quite through the Revolution, and then also identified with the opponents of liberty. He was the son of Stephen De Lancey, a member of the council under many governors, a Huguenot refugee who had amassed a large fortune at New York in trade. His mother was a van Cortlandt. He was a graduate of the University of Cambridge, England, where he had for his tutor Dr. Thomas Herring, later Archbishop of Canterbury. He returned to New York in 1725, began the practice of law, and married the daughter of Caleb Heathcote. For some reason he attached himself to Cosby, standing by him in all those acts that most disgusted his fellow-colonists, although during a later administration he made himself very obnoxious to the governor and became the mainstay of the popular party.

Having got his case before a court composed of his creatures, it goes without saying that Cosby won his suit against van Dam, but the triumph was only an apparent one. It led the governor on to acts of increasing arbitrariness. He had no right to depose one chief justice and elevate another without the consent of his council. All sorts of heinous offenses were laid at his door, among them even forgery.

Some of his acts seemed to argue almost an insanity of greed. He called for the deeds of lands in Albany and in New Jersey, on the pretext that he wished to inspect them, and then before several witnesses of the dastardly act threw them into the fire, declaring: "Since there are now no proofs of ownership, the property reverts to myself." Old patents to townships on Long Island he sought to render worthless as evidences of possession, so as to secure fees for their reissue, or in order to seize the land himself. The Mohawks proved, by the presentation of a deed conveying

lands to be held for their benefit as a trust, that grants could not be made by the governor of these lands to private persons. By trickery as base as it was cruel and impolitic, he gained possession of that deed and threw it into the fire.

The situation under such a governor became simply unendurable. By secretly taking ship upon the frigate commanded by a Captain Norris, who was engaged to his daughter, Lewis Morris managed to elude the suspicious vigilance of the governor, and sailed for England armed with several papers containing the most damaging evidence against Cosby. Morris's mission was indorsed by the Assembly, and he urged the removal of a man so unworthy before the Lords of Trade. But as Cosby had said: "He had great interest in England." There was Lord Halifax, his wife's brother, presiding over the Lords of Trade; and the Duke of Grafton's son was his son-in-law, and what could the poor colonists expect to accomplish against the most wretched governor thus intrenched in favor? Like a later corruptionist, with one hand at the people's throat and the other in their pockets, Cosby might have asked them the taunting question: "What are you going to do about it?"

There was no chance to do much. Resort was had to the public press, but its resources at that time were limited. There was only one paper published in the province, and this was printed and issued by William Bradford, whom we saw brought over from Philadelphia by Governor Fletcher in 1693. In the year 1725, while Governor Burnet was in the chair, Bradford, then sixty-two years of age, brought out the first number of the *New York Weekly Gazette*. Its news and advertisements covered both sides of a half sheet of foolscap. Prosperity attending the enterprise, the *Gazette* was enlarged to the four sides of an entire sheet. But this formidable engine for the formation or expression of public opinion was useless to the critics of Governor Cosby's acts, for Bradford was the government printer, drawing a salary from the public funds of the province.

Still the press was to be the outlet and safety-valve for the pent-



up indignation boiling within the breasts of the injured colonists. It only needed to start another paper, for which there were money and brains in abundance, van Dam having a great plenty of the former requisite, while his counselors, Alexander and Smith, with the ex-chief justice, were well supplied with the latter. A printer was also at hand. With the Palatine immigration of 1710 had come a family, one of whose children, John Peter Zenger, had been apprenticed to William Bradford. He was now set up in business for himself, almost opposite Alexander's residence on Broad Street, and in November, 1733, appeared the first number of the *New York Weekly Journal*, the rival and political opponent of the *Gazette*, and of much the same general appearance.

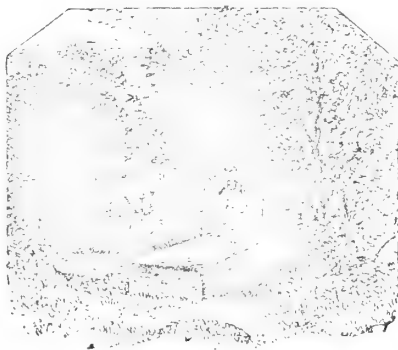
Now followed in rapid succession for nearly a whole year a variety of attacks on the governor and his acts. They were in the shape of letters signed by various classic personages, such as Cato and others. Occasionally songs appeared by way of a change of diet, and some of these were considered so scandalous by the government that the attention of the grand jury was called to them, and it was moved by the eloquence of De Lancey to order the numbers of the *Journal* containing them to be burned by the common hangman.

The merry round of squibs, and songs, and pasquinades went on, with wit more or less happy, with vituperation not free from coarseness, and personalities quite unrestrained. Again several numbers were ordered burned by the hangman on November 2, 1734, and the mayor and common council, who were on the side of the opposition, were commanded to be present at the ceremony, which they promptly declined, and in addition forbade the hangman to perform that function at all, so that the governor's adherents were fain to hire a negro to burn the papers, and secured the attendance of a few soldiers for an audience.

Exasperated beyond all bounds of reason, the governor's party now went to the extremity of arresting Zenger. The arrest took place on November 17, 1734, and it did not lessen the sense of the

outrage that it was effected on a Sunday. The charge against the printer was, of course, that of libel. There had been a whole literature of libel published in his paper during the twelvemonth of its existence. But the accusation concentrated itself upon two specimens of audacity. One of these contained the awful words: "The people of New York think, as matters now stand, that their liberties and properties are precarious, and that slavery is likely to be entailed on them and their posterity, if some past things be not amended."

These expressions of alarm seem vague enough and hardly sufficient to serve as a basis for an action for libel. The other passage selected came somewhat more directly to the point. It represented a supposititious citizen, of whom there may have been many examples in the flesh, who had made up his mind to emigrate from New York to Pennsylvania, and he explains his removal to a friend thus: "We see men's deeds destroyed, judges arbitrarily displaced, new courts erected without consent of the Legislature, by which, it seems to me, trials by juries are taken away when a governor pleases; men of known estates denied their votes, contrary to the received practice of the best expositor of any law. Who is there in that province that can call anything his own, or enjoy any liberty longer than those in the administration will consent to let them do it? For which reason I left it, as I believe more will."



JACOB LEISLER'S TOMB.

The first act undertaken in aid of Zenger by his powerful friends was to sue out a writ of *habeas corpus* for him. He swore that his worldly possessions did not exceed £40, whereupon De Lancey promptly fixed his bail at twenty times that amount, or £800. His friends were quite able to raise that sum, but it



suited their purposes better to let Zenger suffer imprisonment for a while. He was not so closely confined or so entirely excluded from communication with his wife and journeymen but that he was enabled to continue the conduct of his paper while he was in jail.

On January 28, 1735, the grand jury refused to indict Zenger, and release should have followed. But the court party had other resources. Proceedings by information were instituted by the attorney-general, Richard Bradley, and the poor printer was again held, the charges now being based definitely on the contents of Nos. 13 and 23, cited above. The trial came up on April 15, 1735, before the Supreme Court. Zenger's counsel were, of course, the famous pair, Alexander and Smith. The ground taken was a bold one.

The lawyers objected to the validity of the judges sitting on the case. They had been appointed by the governor "during pleasure," while the constitution required they should hold office "during good behavior." In addition, the chief justice had replaced his predecessor by the mere will of the governor, when such an act could only be valid with the consent of council. Smith and Alexander blandly proposed to argue these points before the judges, when De Lancey threw another bomb into the camp of the popular party by promptly disbarring the two lawyers. It was indeed true, as he said to them, that they had brought matters to a pass that either the judges must go from the bench or the lawyers must be expelled from the bar. But it only added fuel to the fire in the inflaming of the popular mind against such acts of arbitrary and irresponsible despotism. The governor and his creatures would one day have to reckon with the indignation aroused.

The prisoner's case now seemed hopeless indeed, without competent lawyers to defend. The court had appointed counsel for defense, but it was doubtful if he might not also be influenced in favor of the appointing power, and he certainly had not the prestige or the ability of Alexander and Smith. These men were



not idle, and they had the whole community to back them. The people felt that this was their own case, that their liberties were on trial, and that defeat in this instance would mean disaster to the best interests of the province. It is stated by some historians that it was to this time must be traced the origin of that organization which played so important a part in the troubles leading to the Revolution, the "Sons of Liberty," or "Liberty Boys." Whether this was precisely the case may be doubtful, but certainly many heads were put together in secret conclaves to counteract the schemes of the government. And one surprise of vital moment was sprung upon the court party, which turned the scales effectively against them at the next trial.

This was scheduled to take place on August 4, 1735. Chief Justice De Lancey and his colleagues thought to have everything their own way. The former started with some irregularity in the proceedings, which was stopped by the protest of John Chambers, the counsel assigned by the court for the prisoner. The jury to try Zenger was what is called a "struck jury," formed by striking from the panel a certain number known to belong to either party, and leaving finally the required number of twelve men. Richard Bradley, the attorney-general, then opened for the government, citing the passages given a few pages back about sinking into slavery and destroying deeds, and trial by jury abolished. These were characterized as "false, scandalous, and malicious," and for these punishment was demanded for the offending printer. It then became the turn for presenting Zenger's side of the case. Such was the interest of the community in the issue that the court room in the old City Hall was crowded to the utmost capacity, and a great number stood without the building eagerly waiting for the signal as to how the verdict went.

The friends of Zenger had arranged for a dramatic surprise. When the defense of the prisoner was called upon to open, Mr. Chambers did not arise. A venerable figure took the floor, and, addressing the presiding judge, said quietly: "May it please

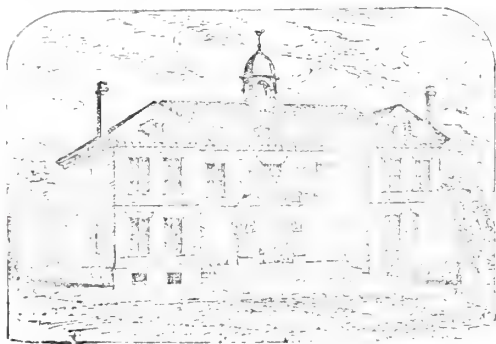
your honor, I am concerned in this case on the part of Mr. Zenger, the defendant." The speaker was at once recognized as Mr. Andrew Hamilton, of Philadelphia, the most famous lawyer and most eloquent orator in the colonies. His services had been secretly engaged by Alexander and Smith.

A recent historian of the gentler sex, who has succeeded in gleaning many a bit of valuable colonial history from the gossip and traditions of old families in New York, gives a lively picture of a trip ostensibly to Perth Amboy by Mrs. Alexander in her private yacht; whence she slipped, unannounced, by land to Philadelphia. Here she saw the great lawyer and secured his cordial acceptance of the defense of Zenger. We are told that "Mrs. Alexander was thoroughly conversant with every point, and was in a position to state it clearly to Mr. Hamilton, and also the opinions of Messrs. Smith and Alexander as to the line of argument to be used, and he was also supplied with the necessary papers, which tradition states were carried to Philadelphia quilted into Mrs. Alexander's best silk petticoat."

Mr. Hamilton's appearance at the trial created an immense sensation, exactly as had been designed. He simplified the case for the jury's decision at one stroke, by waiving the necessity of proving the publication of the objectionable passages. He admitted this. The attorney-general then claimed that the matter was ended and that conviction must be the verdict. Hamilton corrected him promptly, and said that it was now his place to prove that the passages were a libel on the governor. De Lancey thought to corner the veteran counsel by bringing forward the peculiar ruling which had been in force in such cases heretofore, that the truth of the statements in a libel made no difference as to the libel—that, in fact, the truth only made the libel worse. Hamilton retorted with telling effect that this ruling did very well for the star-chamber days of Charles II., but that times had changed and that complaints of injustice against a ruler or his laws were now recognized as the right of subjects.

De Lancey thereupon refused to allow the proofs of the libel

to be brought forward. Instead of being nonplussed by such an outrageous decision, Hamilton replied: "I thank your honor, and, turning to the jury, said: "Gentlemen of the jury, to you we must now appeal for witnesses of the facts we have offered and are denied the liberty to prove; you are to be judges of the law and the facts." The aged speaker, bearing the weight of full eighty years, then commenced an address, which lasted for hours, upon every word of which the hearers hung breathless, thrilling the hearts of the popular party with ideas pleasing to them, but never raised to such an elevation of moral rectitude or patriotic unselfishness, while at the same time reading severe lessons of warning to those whose business it had been to outrage the people's sense of justice and to oppress them by arbitrary acts. "Shall not the oppressed have even the right to complain; shall the press be silenced that evil governors may have their way?" the orator exclaimed.



CITY HALL, NEW YORK, IN 1700.

Alluding to the fact that the grand jury would not indict his client, and that the case was instituted by "information" on the part of the attorney-general, Hamilton said: "The practice of information for libels is a sword in the hands of a wicked king and an arrant coward, to cut down and destroy the innocent." He took the bold ground that no governor can claim support or allegiance "who goes about to destroy a province or its privileges, which, by His Majesty, he was appointed, and by the law he is bound to protect and encourage." As one has well said: "It would be impossible to give any distinct idea of this wonderful speech. Its chief trait that raises it above all others is its prophetic novelty. In the midst of the dim, unfixed notions of the age of monarchy and tyranny, it brings into a clear light

all the principles of free speech and free thought that rule among us to-day." The peroration has been quoted in many histories, but it will bear frequent repetition, and can never be read too often. He closed in the following words, having spoken of the glory and necessity of the defense of freedom:

"I am truly unequal to such an undertaking on many accounts, and you see I labor under the weight of many years, and am borne down with great infirmities of body; yet old and weak as I am, I should think it my duty, if required to go to the utmost part of the land, where my services could be of use in assisting to quench the flame of prosecutions set on foot by the government to deprive a people of the right of remonstrating and complaining, too, of the arbitrary attempts of men in power. But to conclude: the question before the court and you, gentlemen of the jury, is not of small or private concern; it is not the cause of a poor printer, nor of New York alone, which you are now trying. No! It may in its consequences affect every freeman that lives under a British government on the main of America. It is the best cause, it is the cause of liberty!

"And I make no doubt but your upright conduct to-day will not only entitle you to the love and esteem of your fellow-citizens, but every one who prefers freedom to slavery will bless and honor you as men who have baffled the attempts of tyranny, and by an impartial and uncorrupt verdict have laid a noble foundation for securing to ourselves, our posterity, and our neighbors that to which nature and the laws of our country have given us a right—the liberty both of exposing and opposing arbitrary power, in these parts of the world at least, by speaking and writing the truth."

Nothing could resist the force of this appeal among a people who cared a straw for their liberty or their self-respect. Bradley demanded the conviction of Zenger; the chief justice charged with unscrupulous partiality that the jury must convict him. It mattered not. These feeble attempts to stop the tide were brushed aside by the onrushing wave of enthusiasm swelling

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Dewitt Clinton

among the people. It carried upon its crest the jury in whose hands was the fate of the prisoner. The verdict was instantaneous: "Not guilty." A shout of exultation shook the building, and it was taken up by the crowds in Wall Street and Broad Street. The poor printer was released from duress, and published his *Journal* for many a year thereafter. The cause of the people had been vindicated. The press had achieved a signal triumph in its conflict with an oppressive and arbitrary government. And the cry the "Liberty of the Press," raised to the echo in free New York, was taken up with fervor in the other colonies.

Governor Cosby lived less than a year after this serious rebuke. As we remarked of Cornbury, his badness as an official and a man really was of great service to the colony he sought to injure. The acts of these men opened the eyes of the people to the possibilities of mischief that lay within their power, if not opposed and restricted, and thus they were taught to guard their own interests, and to adopt measures that had in them ever more and more of the principles of self-government. The Assembly was not dissolved, but it was not permitted to meet except at long and uncertain intervals, as it suited the humor of the governor. In 1734 it met and made several advances. Quakers were given the privilege of making affirmation instead of taking oaths, which gave them the right of sitting in the Assembly, whence they had been excluded in 1691.

A complaint of Attorney-General Bradley reveals the fact that the Assembly attached as riders to appropriations "some bill injurious to His Majesty's prerogative and interest, which must be complied with or no money can be had for the necessary support of the government." Taught by Cosby's conduct, the Assembly, in 1734, passed an act providing for the election of a new assembly every three years, so that business should not be hampered by the governor's refusal either to call or to dissolve the body. This could hardly expect to obtain the approval of the governor, but it was one of those "previous and open steps which

a dependent province can take to render themselves independent at their pleasure."

Cosby had become a sufferer from consumption, developed in the severe climate of New York. As most patients of that disease, he alternated between hopes of recovery and fears of a speedy termination. The winter of 1735-1736 was rather more trying than usual, and the governor's mansion in the fort was exposed to the full sweep of the wintry blasts across the wide bay. Everything pointed to a fatal result as the winter drew to a close.

There was not much to insure mental comfort while the consumption was advancing in its stages. The Zenger trial was only shortly in the past, and it had had its echoes in England, where even Cosby's "great interest" could not blind the authorities to the fact that he had made a mistake in exasperating the people of his province. Their ears were now lent more willingly to the tales of fraudulent acts and violations of deeds and trusts. The royal council ruled that Lewis Morris had been illegally removed from the office of chief justice. They did not go to the length of demanding the deposition of De Lancey, but they thought to compensate Morris by making him governor of New Jersey. Altogether, the tables appeared to be turning, and it is likely if Cosby had lived he would have been recalled.

About March 1, 1736, there was every indication that the governor's end was near. In the extremity of death, however, he contemplated and perpetrated a final and supreme act of tyranny. The appointment or removal of members of the provincial council was a matter scrupulously exercised by the authorities at home alone, who only accepted recommendations on the subject from the governors. Usually the members of the council were enumerated one by one in the instructions, and if changes seemed expedient after the governor arrived on the ground, these were made after due report and recommendation to the Lords of Trade. To illustrate how stringent was this rule, we need only mention that Rip van Dam was still a member of Cosby's council, after all that had happened between the two men.

As such, of course, he was still also the senior member and the president, and upon him would again fall the government in case of Cosby's death. This the dying governor determined to prevent, and he did not hesitate to resort to the desperate expedient of removing van Dam from the council. A secret meeting was called in Cosby's bed-chamber, and at that session, in itself flagrantly illegal, he ordered the president's name to be stricken from the list of members, whereby George Clarke, once secretary of the province, and now next in seniority to van Dam in the council, became president, and the successor to the chief direction of affairs.

Nothing was known of this on March 7, 1736, when Cosby breathed his last. Then, at the first meeting of the council to arrange for the continuance of the government, the secret came out as van Dam was about to assume the office that was his by right. The obsequious council ratified the illegal act of the dead



LEWIS MORRIS.

governor, only one man of the council supporting van Dam's contentions. But the latter had the whole colony back of him, as well as the right of the situation. He assumed the government as president of council, and demanded the provincial seal from Mrs. Cosby (or, to be correct, Lady Grace Cosby). He also went on appointing a new mayor and other city officers, and when Clarke and his adherents intrenched themselves in the fort and put the garrison under arms, the resolute van Dam called out the militia, who responded with a will. Thus the miserable Cosby

had left strife and peril for the province as a legacy even after his death.

The town and province remained under the threat of actual civil war until October. When it seemed as if the calamity could no longer be averted, the solution came from England in the shape of a commission as lieutenant-governor for George Clarke. It was a very peculiar proceeding on the part of a well-constituted government thus to condone and vindicate flagrant and riotous illegality. But the "great interest" was still at work. The relatives of Cosby in high station could not afford to have his record raked up by such a successor as van Dam. It was safer for all around to hush up and cover up the clamorous and nasty past, and George Clarke could be trusted to do it. Perhaps it was a concession that his office was entitled lieutenant-governor, for he was in the chair for seven years, longer than many a governor before or after him.

George Clarke had come to the province in 1703, while Cornbury was governor. His wife's name was Anne Hyde, which indicates relationship to Cornbury. He was a lawyer by profession and was appointed secretary of the province. He began early to make his position tell upon his fortunes, and in course of time he obtained a seat as one of the council. It was, therefore, as second in seniority that he would have properly succeeded Cosby, if van Dam had been properly removed from the council. But the fiat had gone forth from England that the mantle of gubernatorial dignity and office should descend upon the Englishman in preference to the native colonist, and before that will the provincials were fain to bow.

And it was soon seen that things had mended. Clarke had seen too much of the trouble that his predecessor had brought upon himself and upon the colony to wish to pursue a career in imitation of his. A grievance against Cosby which even his council had felt deeply, and had made them join their own to the stream of complaints constantly flowing to England, was that the late governor had persisted in sitting with them and

voting as a member, when they met as a sort of upper house of the Legislature. Clarke carefully refrained from doing so, and thereby much gratified the council.

To the Assembly that met in the autumn of 1736 he sent an address, in which he urged various measures of public utility. When it met in May, 1737, he dissolved it, as it had been in existence for nine years. In view of the recent agitations, his action in securing the election of a new assembly that should more closely reflect the opinions of the day, was very commendable, and even courageous. When it met, it instituted a new custom, that of recording the ayes and noes in votes on bills. It re-enacted the bill for triennial assemblies, which obtained Clarke's signature, but was vetoed in England. In answer to the usual request for a vote of revenue for a term of years, they declared that they could not "continue what support or revenue they shall raise for any longer time than one year." They apologized for being plain spoken, but felt called upon to tell the lieutenant-governor frankly that "he was not to expect that they would either raise sums unfit to be raised or put what they should raise into the power of a governor to misapply."

The Assembly that met Clarke in 1739 first definitely took the step toward which those under Cornbury and Hunter had been tending. Besides making its appropriations for the carrying on of the government for one year only, this Assembly made them also in definite sums for specific purposes, and then capped the climax by voting the salaries to officials by name. Here was the encroachment of the legislative upon the executive department, for it was to be expected if an obnoxious name stood connected with a salary to be voted, the vote might not be forthcoming till another name appeared.

Two years after they were disbarred, William Smith and James Alexander were again reinstated as practitioners. They had instituted suits for damages, but Clarke, of his own motion, went to them and offered to see them reinstated if they would withdraw the suits, and they accepted the olive branch on those

terms. About the same time the son of Lewis Morris, bearing the same name, was elected speaker of the Assembly. Clarke also was diligent to repair the error his predecessor had made in offending the Mohawks, and to cement again the valuable relations of friendship by which alone the encroaching French could be held in check.

In order to encourage settlement in the Mohawk River region, he recommended to the Assembly the building of a fort on the portage between the head of the Mohawk and the streams westward, as a support of the advance post at Oswego; and this may be regarded as the origin of Fort Stanwix, and the later Rome. During his term, too, an attempt was made to carry a large body of Scotch Highlanders to the borders of Lake George as permanent settlers of that region. But there arose misunderstandings between their leader and Clarke, and the scheme failed.

In 1741 occurred the famous "Negro Plot" in New York City—a panic and a riot of lying and slaughter much rather than a plot, which Lossing calls "a counterpart in wickedness and absurdity to the Salem witchcraft delusion in the preceding century." Several fires in rapid succession were charged to negroes, and a loose woman under sentence of hanging saved her life by inventing the details of a plot, which were believed without evidence. Two years later Clarke returned to England, having saved £100,000 out of his government, and died in Chester, England, at a good old age, in 1760.



DE LANCEY ARMS.

CHAPTER VIII.

THE ASSEMBLY KEEPS UP THE CONTEST.



WITH the exception, perhaps, of William Burnet alone, almost all the governors who had been sent over to rule New York were military men, colonels mainly, with one general. The honor was now turned over to the navy, and in this chapter and the next we shall have to speak of captain, commodore, or admiral. Such was Sir George Clinton, who arrived at the capital of his province on September 20, 1743, and was destined to govern it for an exact decade, in this exceeding even the administration of General Hunter, and thus realizing a term longer than that of any other governor under British dominion.

Sir George Clinton was closely allied to the peerage of England. He was the second son of the sixth Earl of Lincoln, and the uncle of the earl then bearing the title. His education had been entirely that of a sailor, to the neglect of general letters, but he had risen to the rank of commodore. In 1732 he had been made governor of Newfoundland, in which position he served until 1737, when he returned to sea duty with the fleet in the Mediterranean. By marriage he was related to the Duke of Newcastle, the all-powerful premier of England, and some months after his arrival at New York he was promoted, at that nobleman's instance, to the rank of rear-admiral.

His training and temperament fitted him better for the command of a ship or a fleet than for the administration of such a province as New York. He was imperious and irritable, and he

found plenty of occasion for getting into trouble on both accounts. An authoritative tone so effective and proper on board ship was of all things the least likely to suit an assembly which had long been taking those "previous and open steps" toward independence. We are not surprised to read, therefore, in the "history-books" that Clinton's term of ten years was one long quarrel with the Assembly and with some individuals.

Unfortunately, too, the impression had gone abroad that he was eager to make money out of his position. Lieutenant-Governor Clarke had been sending home dreadful reports of the



RIP VAN DAM.

shabbiness of the post, and how little there was to be made out of it. But when he returned with the snug little fortune of £100,000, all made in New York, the possibilities of the province and its chief administration were seen in a new aspect, and Admiral Clinton had lively expectations of coming out of it as well as his predecessor. He was a close rival, but fell short by £20,000. Still £80,000 were not to be despised, especially as money counted then. The new governor brought with him his wife and sev-

eral children, all young, one of whom became the Sir Henry Clinton of Revolutionary times.

Prominent throughout this administration, and one or two to follow, appears the personality of Chief Justice James De Lancey. From the position he took, as related in the preceding chapter, it may readily be imagined that he was a man likely to solicit and obtain favor "at court." Clinton was quite alive to the fact that, as a man without education and without experience in civil affairs, the administration of the government might be a task beyond his powers. He was glad to find some one upon

whom the actual burden of that business could be thrown, whose tastes and ambitions would render the burden agreeable, while he himself would be able to enjoy repose and leisure to attend to such exploitation of the office as would replenish his private exchequer.

James De Lancey was just the man to be made use of in this capacity, a sort of exalted factotum, and he turned to him with enthusiasm. The situation was accepted with equal enthusiasm on the part of the able colonist, and everything went on charmingly between the two men for some time. About a year after the governor's arrival he gave a token of his friendship and confidence by changing De Lancey's tenure of the office of chief justice from one on "pleasure" to one on "good behavior." In the former case the incumbent could be removed at the mere desire of the governor, with the consent of his council. But "good behavior" meant that only on charges and by impeachment could he be deprived of the office. The change was made at the request of De Lancey; it made him independent of the governor's favor, and it was claimed by Clinton that no sooner had it been effected than he turned against him.

The break between the two men, which produced so much trouble for the governor, and kept the province also in a turmoil, did not occur, at least openly, till nearly two years later. In June, 1746, there was a quarrel, an exchange of hot, angry words, "over a bottle." Whether it was at a public banquet, or during a friendly private bout between the hitherto confidants, the common verdict is that they were both heated by wine, and words were spoken by Clinton which made De Lancey swear vengeance. He certainly kept his oath, and he had a convenient coign of vantage in the Assembly.

But in order to annoy the governor he had need of throwing in his influence and power on the side of the popular party. It required a somersault in political affiliation, but principles were not deeply rooted in political spheres in the days of the Georges, and De Lancey posed as brilliantly and effectively as

the advocate of popular rights under Clinton, as he had trampled upon the most sacred safeguards of popular rights and liberties under Cosby. The letters of Clinton now became one continual arraignment and complaint of the man whom he had so much admired and advanced before. In spite of this the authorities at home sent over a commission as lieutenant-governor for De Lancey. This was adding gall to bitterness for Clinton: he withheld the commission from him for years, hoping to get the Lords of Trade to change their minds and bestow it upon a new favorite whom now he praised to the skies.

This was none other than Dr. Cadwallader Colden, who deserves more than a passing notice at our hands. In our enumeration of prominent men in the preceding chapter, he certainly had deserved as careful attention as any one there mentioned, but it so happened that he was not brought into sharp personal contact with any of the actors in the drama that made up the Zenger trial. Yet he was a member of the government even then, having a seat in the council; and we have already noticed that he entered the council at the recommendation of Governor Burnet in 1722, at the same time with James Alexander. These two men were relied on by Burnet to prepare a reply to the representations of the interested merchants and traders who sought the repeal of the act prohibiting the French trade so ruinous to English interests, and they produced a most able and admirable argument, which caused the authorities at home to pause and temporize, and staved off the suicidal repeal for seven years.

Cadwallader Colden has been called one of the founders of American literature and science. His "History of the Five Indian Nations," published by William Bradford in 1727, is still one of the recognized authorities on the history and manners of that interesting League. When the Palatines at Newburgh, preferring Pennsylvania and other parts, disposed bit by bit of their patent of twenty-five hundred acres, Colden secured quite a portion, which derived from him the name of Coldenham, and which he occupied as a farm or summer home.

Here he indulged his scientific tastes, in the way of agriculture and botany. He wrote a paper on the plants of Coldenham, which attracted the attention of the world-famous Linnaeus, the Swede, professor at one of the universities of Holland. On the strength of his description, Linnaeus named one genus that was new to him, *Coldenia*. He wrote on medicine, gravitation, mathematics, and was a member of Franklin's Philosophical Society; in fact, it is said that he was the first to suggest the formation of it. He had ten children, many of whom inherited his tastes, and a late descendant, who was mayor of New York in 1828, Cadwallader D. Colden, was connected in a scientific or engineering capacity with the Erie Canal. In this connection we can not refrain from citing a letter, culled from that delightful lady historian referred to before, written by the husband of one of James Alexander's daughters:

"Our voyage to Albany was purely a party of Pleasure. At one of our landings we made an excursion to Coldenham, the abode of the venerable philosopher, Colden. He is as gay and facetious in his conversation as he is serious and solid in his writings. From the middle of the Woods this Family corresponds with all the learned societies in Europe. Himself on the principles of Matter and Motion, his son on electricity and experiments. He has made several useful discoveries and is a tolerable proficient in music. His daughter Jenny is a Florist and a Botanist. She has discovered a great number of plants never before described, and has given them Properties and Virtues, many of which are found useful in Medicine, and she draws and colors them with great beauty. N. B.—She makes the best cheese I ever ate in America."

That "N. B." is as delicious as the cheese it tells of, and the whole picture of the trip and the stay at Coldenham up the river is worth more for giving us a view of human life in our State in colonial days than a hundred pages of battles and campaigns, or of the doings of royal personages and their governors on this side of the water, which is the usual diet served us in the history-books.

Still to such subjects we must return. Dr. Colden was born in 1688, the son of a Scotch clergyman, graduated from the University of Edinburgh in 1705, studied medicine in London and came to America in 1710. Five years later he went back to England and Scotland, perhaps for a romantic reason, for he brought back with him a bride, a clergyman's daughter, and settled in the practice of his profession at Philadelphia in 1716. He was induced by the keen-minded Hunter to come to New York in 1718, and was appointed by him surveyor-general of the province.



PHILIP LIVINGSTON, SECOND LORD OF THE MANOR. MEMBER OF THE PROVINCIAL ASSEMBLY FROM ALBANY IN 1709.

In 1722, as we saw, he entered the council under Burnet, who must have found a congenial companion in him. Cosby had not much appreciation for a mind of his class, and more than once referred to Colden as a "spy," and as "unfit to be trusted." De Lancey failing him, Governor Clinton turned to Colden. He proved to be a man of affairs as well as of books and scientific research, and Clinton rejoiced to find in him "an adviser

even more conversant with colonial business than De Lancey." Dr. Colden remained actively engaged in the public business for the remainder of a very long life, and, as we shall see in later chapters, was invested with the chief rule as lieutenant-governor several times. He died at the age of eighty-eight years in 1776, almost within sound of the roar of the battles of the Revolution, but out of sympathy with the cause of his fellow-colonists.

There was a "power behind the throne" to sustain De Lancey in his opposition, frustrating Clinton in his endeavors to prevent

his being made lieutenant-governor, and making the Lords of Trade deaf to most of his complaints. Dr. Herring, De Lancey's erstwhile tutor, was now archbishop, and his brother-in-law was Admiral Sir Peter Warren, the hero of the capture of Louisbourg in 1745. During Clinton's term the "War of the Austrian Succession" was waging in Europe from 1744 to 1748, and was intended to prevent the House of Austria from ascending the throne of Spain, as that of the "Spanish Succession" under Queen Anne had sought to keep the House of Bourbon from the same coveted position.

This war went by the name of "King George's War" in America, and the most signal achievement was the taking of the fortress and city of Louisbourg on Cape Breton Isle, just north of Nova Scotia. It was peculiarly notable as undertaken and achieved almost unaided by New England money and raw provincial troops. The historian Parkman calls it a "mad scheme." But it succeeded, with all its crudeness of detail in the execution. The most efficient outside aid came from New York in the shape of an appropriation of £3,000 by the Assembly, provisions bought by private subscription, and artillery from the royal magazine.

New York also contributed the commander of the British men-of-war that were the only contingent from the mother country. Commodore Peter Warren was a resident of New York City, and the holder of large tracts of land in the province, lying on the Mohawk River. He had married Susannah De Lancey, sister of the chief justice, had a house at No. 1 Broadway and a country seat at what was then the village of Greenwich, a few miles up the island. Shortly after Clinton's rule began he had been made a member of the council, and the events at Louisbourg raised him at once to immense influence in England. He was elevated to the rank of admiral and was knighted for his services. Holding back from the expedition at first because it had no sanction from the king's government, he had no sooner obtained leave to do so than he hurried after it with three ships.

With all New England's pluck and dash, it is doubtful if the project would have succeeded without this material assistance on the sea. Warren maintained a nearly impassable blockade, and finally captured a French relief ship, vastly larger than any of his own, which furnished the besieging army with the stores and ammunition which were beginning to fail them, and thereby secured the surrender of the place on June 17, 1745. In the course of the war, which lasted three years longer, until the Peace of Aix-la-Chapelle in 1748, New York alone expended £70,000, and suffered much upon the northern borders. In 1746 the province offered a bounty of £6 per man to those who would enlist. While its population was only a little over sixty thousand souls, no less than sixteen hundred men were kept in the field ready for warlike operations.

Naturally, in times of war, the Indian question became a pressing one. Governor Clinton expended considerable energy in coping with it, and his administration is noted by a great number of congresses of governors called together by him to consult upon the best means of conciliating some Indians and opposing others. The way was open to him, as to his predecessors, for holding the Indians of the Six Nations to their allegiance, and he did not neglect it. The French were more active than ever in their efforts to seduce these tribes from their friendship and support in the direction of England, and it needed, therefore, special care to keep these alive by liberal presents. It was just here that much mischief resulted to the province from Clinton's quarrel with De Lancey, for the latter scrupled not to seek his revenge by opposing the governor's measures for the raising of money needed for the purpose of securing defenses for the northern frontier and the conciliation of the Indian allies.

A startling rebuke did this ill-advised and factious parsimony receive in 1745, when occurred the massacre of Saratoga. On the flats near the junction of Fish Creek, or Kill, with the Hudson River, on the west bank of the river (near the present Schuylerville), Philip Schuyler, a brother of the famous Peter Schuyler,

had founded a little village. There were about thirty families residing here, with servants and slaves, mostly engaged in farming, and tenants of Mr. Schuyler, who lived among them. For the protection of this hamlet, which rejoiced in the name of Saratoga, a fort was built of logs and stockades, or palisades.

When the war broke out a garrison was sent to occupy this frontier post, the farthest north from Albany, and facing, therefore, the whole of Canada, with the dire possibilities of assault thence. The force consisted of a sergeant, a corporal, and ten soldiers! But they found the fort in such poor condition that neither they nor their powder could keep dry in a rainstorm. De Lancey's noble frenzy keeping the Assembly from giving Governor Clinton the money to mend matters, the latter ordered the garrison to withdraw when winter approached, and the village of Saratoga was left unprotected in the wilderness by the beginning of November.

Here was a chance for the French. A force of five hundred Canadians and Huron Indians, under Monsieur Marin, were stationed at Crown Point. Approaching in the usual stealthy manner, a party of soldiers and warriors suddenly fell upon the little settlement on the night of November 17 (28, new style, as in French records). The destruction and massacre were of the approved French and Indian style. Fort, houses, barns, mills, were given to the flames. Thirty persons were killed, one hundred carried off to the living death of imprisonment and torture. Philip Schuyler's body was burned up with his own house; another Schuyler was made prisoner. As morning dawned the invaders sang a *Te Deum* for the signal victory vouchsafed them over the helpless adherents of another faith. It was the end of Saratoga for some time.

As the destruction of this frontier post left Albany exposed, opposition to grants of money was so far waived that a beggarly £150 were voted by the Assembly to repair the fort, and the palisades and log blockhouse were to some degree reinstated. But they soon became useless again from neglect. In 1747

Colonel Peter Schuyler was stationed there with a regiment, which was better at least than the corporal's guard of former days; but no supplies being sent to the regiment it had to withdraw as well as the smaller force. By Clinton's orders an examination of the post was then made, and being found indefensible, it was by the same directions burned. When a French and Indian war party came a little later to repeat their exploit of 1745 they found their work forestalled by their enemy's own

hands, at which they were not a little surprised.



RICHARD LOVELACE.

Accepting this invitation to carry their ravages further south, the settlers were constantly harassed; farm after farm along the frontier was wiped out, until the burning buildings could be seen from Albany itself. The only check to these proceedings came from the Mohawks, who succeeded in carrying their counter-irritant raids as far as Montreal, and then gave the *Te Deum* singing Indians something to keep them at home. "But," Parkman says,

"the check was but momentary. Heathen Indians from the West joined the Canadian converts, and the frontiers of New York and New England, from the Mohawk to beyond the Kennebec, were stung through all their length by innumerable nocturnal surprises and petty attacks." But French aggressions embraced also the western portions of New York province. Incessantly repeated, in spite of constant failure, the attempts to seduce the Iroquois League went on.

At times there was danger of yielding, particularly when the

Assembly's narrow-minded partisanship, or the greed of the land-owners, made it impossible to keep a decent countenance before the Indians on the part of those who sought to hold them for England. Lonely Oswego looked out upon the blue waters of Ontario, ready to stop any invader who wished to come up the convenient route of the Oswego River. But Fort Frontenac grimly guarded the outlet of the lake at one end, and Fort Niagara was at the other extremity, flying the French flag both. And soon that indefatigable nation had a fortress at Ogdensburg also, again within New York territory, as was Crown Point. They gave it the name of Fort Presentation.

In 1748 Governor Clinton, seconded by Governor Shirley, of Massachusetts, sent out invitations to the governors of all the American colonies to meet at Albany. It was the spot where immediate conferences could be held with the general council of the Six Nations, the only hope against French aggressions and Indian marauders. When these august colonial magnates met, the news came that peace had been effected at Aix-la-Chapelle. The cessation of war in Europe was no guaranty for the same thing in America, and again in 1751 Clinton called a congress of representatives from the colonies at Albany. Only Massachusetts, Connecticut, and South Carolina responded; it was hard to get concerted action among the colonies, and there was no avowed war between the nations at home.

As if to relieve his mind from the annoyances furnished in such plenty by the Assembly, Clinton seemed to have had a great fondness for these congresses, for another one was called to meet in New York City in June, 1753. The representatives from the Six Nations also came down from their northern castles, under the lead of "King" Hendrick, who had once had the taste of the greater splendors of London, unless it was his son, who now bore the name. He plainly spoke of one danger of alienating the invaluable alliance of the Iroquois: "You have taken the land of the Mohicans," he said, addressing the New England delegates, "and driven them away, and it will be the same with

the Mohawks." It was a warning against the too free distribution of land grants in regions occupied and owned by friendly Indians of the League.

The Saratoga massacre, while it resulted in no vigorous rehabilitation of that frontier post, induced the Assembly to make provision for the westward advance of civilized settlements. Six blockhouses were ordered built at various points along the Mohawk River, all the way to what was then called Fort William, later Fort Stanwix, and is now the site of Rome. If such works had been well built and securely held, the Indians would have conceived much more respect for the prowess, as well as the sincerity, of the English, who did not shine by contrast in such a policy with their French rivals.

In view of the fact that the strenuous efforts of the French to seduce the Iroquois were directed especially in the line of missionary work, and many converted to Christianity, left the League to identify themselves with the French, it is surprising that not more was done on the part of the Protestant colonists to gain over their savage allies to the Christian faith. Yet some attempts in that direction were made. We have mentioned the labors of one or two Albany pastors, of the Dutch church there, in the preceding century. Much more was done in the century now under discussion. Mr. Ellis H. Roberts gives a succinct account of the men who won deserved distinction as missionaries during that period. After the visit of the Rev. Mr. Moore to the Indians in 1704, he says that the work "was taken up again among the Mohawks in 1712 by Rev. Mr. Andrews, who was assisted by Rev. Thomas Barclay, the English minister at Albany. Of the services to the red men of Rev. Peter van Driessen, minister of the Dutch church at Albany, the record is brief. Rev. Henry Barclay, a graduate of Yale College, an Episcopalian clergyman, labored efficiently among the Mohawks from 1736 to 1746, and at his departure a congregation of five hundred Indians, including eighty communicants, assembled to bid him farewell.

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Henry White

“Two years later, from the schools at Stockbridge, Mass., under the direction of the noted Jonathan Edwards, and at Lebanon, Conn., under Dr. Wheelock, began that stream of educated missionaries who adorn the annals of the province. In 1752 Rev. Gideon Hawley made his first visit to the Iroquois, and has left interesting journals of his services as evangelist among them for many years. Other zealous men engaged for brief periods in the difficult work, until in 1764 Samuel Kirkland went forth to preach to the Senecas, and became identified especially with the Oneidas, leaving his name in the churches, affecting the current of events, and commemorated by Hamilton College, which has risen on the foundations of an academy established by him for Indians and their instructors. The last of the missionaries to the Mohawks was Rev. John Stuart, who served among them from 1770 to 1775 with fidelity and usefulness.”

A different work among the Indians, but one tending quite as much to their civilization and elevation, was accomplished by one whose name and personality now claim our attention, as one of those to whom the State of New York owes much of its development, and whom Dr. Griffis does not hesitate to class among the makers of the nation. We refer to Sir William Johnson, a Commissioner for Indian Affairs, and finally the Indian Superintendent under Governor Clinton. He was the nephew of Admiral Warren, the brother of his mother, and was born near Dublin, Ireland, in 1715. Disappointed in love at the age of twenty-two, this uncle offered him a career in America as a solace for his wounded heart.

Captain Warren, as he then was, had bought and acquired by his marriage with Miss De Lancey, large estates in the Mohawk Valley, counting as many as fifteen thousand acres. The push of the Palatines westward had opened the eyes of speculators to the character and possibilities of the country there, on which account many purchasers were found for plantations there. But Warren wished to develop the land rather than hold for advanced sales. He offered to appoint young Johnson agent for the man-

agement of this property, and his adventurous spirit jumped at this chance for enterprise.

Thus about the year 1737, when Clarke ruled in the land, William Johnson arrived at New York. There were influential relatives to make a stay at the colonial capital pleasant, but doubtless Johnson's energetic nature was not inclined to delay for long his journey northward. We can follow the slow progress per sloop up the Hudson, and the march across land from Albany to Schenectady. Supplies for subsistence and labor on the untried soil may have been made at either place. At Schenectady



GOV. WILLIAM BURNET.

these would be embarked in scows or canoes, and toilsomely towed up the current of the Mohawk. The captain's (later admiral's) land was called Warrensburg, or Warren's Bush, and lay at a distance of about twenty-four miles from Schenectady, on the north side of the Mohawk east of a point opposite where the Schoharie Creek brought its driftwood into the river. Here were the first rude cabins built for man and beast, and soon the woods rang with the leveling axe to open the soil to the

light and air of heaven and make it fruitful.

Johnson was not devoid of neighbors and companions, for there were already several small hamlets clustering on either bank of the river, and here and there an adventurer, as bold as himself, was turning the wilderness, singlehanded upon a lonely farm, into a garden. We have related the settling of the Palatines in this region as far as Herkimer, or German Flats, in 1724. About a year after Johnson came to the Mohawk he married the daughter of one of this people. He saw that this wild country could as yet yield other wealth than that of the soil, and that the trade in peltries was by no means a thing of the past.

In May, 1739, Johnson made arrangements to locate a trading post on the Susquehanna, two hundred miles southward, and employed runners, or *bosch-loopers*, to gather the furs from the Indian or white trappers.

In these transactions he insisted upon the most scrupulous honesty, fair-dealing, and truthfulness with the Indians, so that they soon learned to see that his lips never uttered a word upon which they could not rely; that they were never deceived as to what he told them regarding their interest or their injury, and when he had made a promise he fulfilled it even to his own hurt. They saw, too, that he exacted the same treatment from them; and they gave it; no Indian was ever found lacking in response to fairness of dealing and truth of speech. But aside from these business principles they liked him because he showed himself quite capable of measuring and matching his physical prowess and endurance with their own. He was tall, and strong, and lithe, and in athletic games or races could hold his own with the best. He was ready at acquiring languages, and soon was master of the dialects prevailing in central and western New York.

The Mohawks soon formally adopted him into their tribe as a warrior, and then he often appeared in their dress, paint and all, whooping, and yelling, and stamping feet in the dance as lustily as any of them. "A white man thus playing the Indian," says Parkman, "usually gains nothing in the esteem of those he imitates, but as before in the case of the redoubtable Count Frontenac, Johnson's adoption of their ways increased their liking for him and did not diminish their respect."

When prosperity was assured and fortune accumulated, Johnson was enabled to pass with his young wife from log cabin and country store to the rustic magnificence of Johnson Hall, on Mount Johnson. This was on the site of the present populous town of Johnstown, numbering some eight thousand souls now, and situated north of Fonda, in Fulton County. The first "Hall" was of more primitive construction than the later edifice of stone, which was built about 1763, and is still standing. From this

commanding location the prospect embraces "the range of Mayfico Hills, or Mountains, in an easterly direction, while to the south are seen Anthony's Nose on the Mohawk, and farther on the hills between Canajoharie and Cherry Valley, and at a distance of between thirty or forty miles the blue, cloudlike mountains leading to the Catskills and the Delaware."

It stood to reason that here, by special providential preparation, was the man to take up the work of Van Corlaer and Peter Schuyler. It is indeed a sad commentary on the dealings that were most usual on the part of the white men with the Indians, that the few men who came to the foreground in the history of New York who implicitly trusted them, who never hesitated to go among them, even in times of war, because the natives on their side gave to these men confidence and even affection—a DeVries, a Corlaer, a Schuyler, a Johnson—were simply men who told them the truth and kept faith with them. Governor Clinton was not slow to discover that William Johnson must save the Indian situation.

Never before had the French been so industrious in seeking to wean away the tribes of the Six Nations, and never before had they come so near doing it. The Board of Indian Commissioners at Albany, with Philip Livingston at their head, were serving their own interests much more than those of the State or the Indians, the repeal of the laws against French trade having brought back again the old abuses. Therefore, in 1746, Clinton appointed Johnson Indian superintendent. It at once brought down upon the new official the antagonism of the Albany traders and that of the opposition in the Assembly, so that supplies and money for presents were refused constantly. Yet difficult as his task was made, Johnson did save the situation. "The Five [Six] Nations," says Parkman, "promised to take up the hatchet against the French, and their orator said, in a conference at Albany, 'should any French priests now dare to come among us, we know no use for them but to roast them.'"

A little later, when the position had been his for some years,

and distinction had come to him for other services, we find this description of him by one who had seen and met him, the author of "The Memoirs of an American Lady." This lady writes (and in the opening sentence reveals a pleasant circumstance in view of the unworthy enmity Johnson met with from others at Albany) : "By the advice of the Schuylers there was now on the Mohawk River a superintendent of Indian affairs; the importance of which charge began to be fully understood. He was regularly appointed and paid by the government. This was the justly celebrated Sir William Johnson, who held an office difficult both to define and execute. He might indeed be called the tribune of the Five [Six] Nations; their claims he asserted, their rights he protected; and over their minds he possessed a greater sway than any other individual had ever attained. . . . He was an uncommonly tall, well-made man, with a fine countenance. He appeared to be taciturn, never wasting words on matters of no importance, but highly eloquent when the occasion called forth his powers."

During the course of our narrative thus far, we have frequently come upon the most prominent fact of the present administration—the continuous collision between the governor and the Assembly. If the Assembly that met Lord Lovelace in 1709 began the contest that ended only with independence, that body in its encounters with Clinton kept up the contest with amazing vigor, seemingly anxious to have it ripen as fast as possible toward the fruit that Bancroft mentions, and which was foreseen by Attorney-General Bradley in 1729. It would be more gratifying to the later observer of patriotic instincts if it could have been conducted all along in a manner worthy of the high end, which was by no means always or with every one also the aim of the contest.

In some of the instances of its collision with the governor already noted, it was even undignified and untrue to the best interests of the province and of the country. There were times of high need when it withheld money, to the peril and detriment

of the people; and there were measures of undoubted utility and far-reaching benefit which it crippled or squelched in mere pique against Clinton. Thus it might well appear to an observer from the outside "that the condition of New York, as respects military efficiency, was deplorable. She was divided against herself, and, as usual in such cases, party passion was stronger than the demands of war. The province was in the midst of one of these disputes with the representatives of the crown, which,



WILLIAM SMITH.

in one degree or another, crippled or paralyzed the military activity of nearly all the British colonies."

Viewed in this light, there was nothing commendable in the progress of the contest that meant so much in the sequel. But there were other lights under which to look at it, and these render the review of the quarrel between

Clinton and the Assembly not altogether disheartening. He came to America to emulate the performance of the thrifty Clarke, who managed to pacify the refractory representatives. That Clinton so nearly succeeded in pocketing the same huge sum, with all the opposition that constantly harassed his every move, showed that he could never have lost out of sight the sordid purpose that sent him across the Atlantic.

The commission read in public contained the instruction which

necessarily had the effect of a signal gun to action upon the Assembly: "And our further will and pleasure is that all publick money raised or which shall be raised by any act to be hereafter made within our said province and the other territories depending thereon, be issued out by warrant from you, by and with the advice and consent of our counsel [council], and disposed of by you for the support of the government, and not otherwise." A frame of mind was prepared by these two circumstances which argued the worst possible for any smoothness of intercourse or harmony in operation between the governor and the Assembly.

A week after his arrival, or on September 27, 1743, Clinton dissolved the Assembly then in existence. It was done by the advice of De Lancey, and need have had no sinister design in it, for it was the ordinary thing for new governors to do; but afterward Clinton discovered in the advice a desire to get rid of the speaker, the son of his old enemy, Morris. The day of the dissolution writs were issued for the election of a new body, and as only seven men failed of a re-election, there could have been no great alteration in the relative strength or position of parties. It met on November 8, 1743, and the three principal subjects that Clinton brought to its attention of a financial nature, were the necessity of granting funds for the defense of the province in the event of the war that was soon to be openly declared; the obligation to make the stipulated presents to the people of the Six Nations; and the requirements of the business of the province which called for the payment of the salaries of the various officers from the governor down.

Acting upon these pressing and obvious requirements, there was a sufficiently cordial and prompt response during the first session, which ended on December 17. The governor was voted a salary of £1,500, with an addition of £650 as fees. There was also what was called an "allowance" to him of the generous sum of £1,000, for a rather mysterious reason, expressed as follows: "As a reward for his solicitation in behalf of the province,

and for the expense and loss of time occasioned thereby." It is evident that no friction had as yet been developed, no alert enemy as yet arisen to question such a reward, which looked more like an award. There was also voted the sum of £800 to be expended on the Indian problem.

These acts received the approval of the governor, and he urged that they be ratified by the Lords of Trade. Yet that board of administrators for the colonies put on record what they thought of the drift of these bills so cleverly enacted by the New York Assembly: "By these acts," they say, "the support of government was limited to one year, and the particular salaries affixed to each officer by name and not to the office, whereby not only the disposal of public money is placed in the hands of the Assembly, but also the nomination of officers and the ascertaining their salaries."

Exactly in the face, all this, therefore, of the royal instructions sent with every governor from Lord Lovelace down. Exactly the contention which had met Governor Lovelace, only carried a little further. The grants for one year only were here now as then, and for specific objects; but now logically developed to the mention of the names of the officials to be salaried, so that the appointing power was encroached upon. The contest, of which Bancroft speaks, had indeed thickened, and royal instructions had better have rained down in torrents in order to clear the air for royal prerogative. For the personal attitude of Governor Clinton was not going to improve the situation, nor keep the Assembly from exercising the appointing power. When faction had come to full bloom under De Lancey, they did actually in the bill for payment of salaries remove one officer's name and put in another, "without consulting me," as Clinton plaintively observes.

An incident perhaps not very edifying grew out of these conflicting authorities, but which shows the drift of the times. James Parker had succeeded William Bradford (who was now approaching the age of ninety) in the active management of the

government printing office, and the publication of the *Gazette*. He was engaged upon the printing of an account of Clinton's visit and conference with the Indians, when there came an order from the Assembly to print an address of their own, and they compelled Parker to lay aside the governor's matter. It was natural, but not wise, that Clinton should have retaliated by forbidding Parker to print a remonstrance of some kind which the governor had refused to receive from the Assembly. For at once there was a hue and cry raised that government had violated the rights of the people and was muzzling the press.

The amenities exchanged were not of the pleasantest character, each side frankly expressing themselves with regard to the other, without mincing matters. The Assembly read Clinton a lecture as to their general opinion of governors, with full permission to make a particular application. "Governors," they said, "are generally entire strangers to the people they are sent to govern; they seldom regard the welfare of the people otherwise than as they can make it subservient to their own particular interest; and as they know the time of their continuance in their governments to be uncertain, all methods are used, and all engines set to work, to raise estates to themselves. Should the public moneys be left to their disposition, what can be expected but the grossest misapplication, under various pretenses, which will never be wanting?"

Now this was coming rather close home to a man who had dangling before his eyes Clarke's prize of £100,000, and who secured one of £80,000 for himself. It could not have been pleasant doctrine: and, as under a former administration, the plea had been made that the truth of a libel made the libel only the worse, so the truth of this doctrine about governors made its exposition all the more unpalatable. So Governor Clinton retaliated in kind. He bluntly told them that they were mere creatures, made and unmade by the king's breath; that the Assembly "had no authority to sit but by the king's command and instructions." And he uttered the threat: "Every branch of this Legislature

may be criminal in the eye of the law; and there is a power able to punish you, and that will punish you, if you provoke that power to do it by your misbehavior; otherwise you must think yourselves independent of the crown of Great Britain."

These spirited remarks were interchanged during the session of the Assembly which met in October, 1748. Then, again, with wearisome and useless iteration, Clinton, in obedience to instructions, had asked for a grant of revenue for at least five years. It was refused, as usual, and the Assembly stated the reason: "From recent experience we are fully convinced that the method of an annual support is most wholesome and salutary, and are confirmed in the opinion that the faithful representatives of the people will never depart from it." No supply bill passed this Assembly, and for two years Clinton was fain to get along

the best way he could without money.



EARLY SLAVE MARKET, NEW YORK.

There may have been something of spite in this obstinacy; there may have been a phase of disloyalty to the best interests of the province about

it. But still there was a principle involved which bore on future times, and safeguarded the liberties of the people for generations that were to come later. In August, 1750, Clinton was at his wits' end, and the next month he issued the summons for the meeting of the Assembly. He completely surrendered his side of the contention, and was willing to receive the grants of revenue on the Assembly's own terms. On its part it came forward with commendable readiness to remedy the past. The supplies for the two previous years were made up, and all that was needed for the coming year appropriated.

Frequently during the ten years of his incumbency Clinton had been on the point of resigning his post. He had more than once asked for permission to leave New York for a time on a

visit to England. The authorities at home had repeatedly discouraged or refused these requests, and Clinton had at times been deterred by the consideration that in such an event he must leave the government in the hands of De Lancey as lieutenant-governor, whose commission as such he had not yet handed over to him.

But in 1753 he was at last relieved from his prolonged annoyances. He did not leave New York till after he had delivered the government into the hands of his successor. In November, 1753, he took ship for England with all his family. The authorities there provided well for his later days. Although carrying home with him his oft-mentioned £80,000, he was given the sinecure of governor of Greenwich Hospital for life. Promotion also still awaited him in his chosen profession: in 1755 he was made vice-admiral of the Red, and in 1757 he was raised to the high rank of Admiral of the Fleet. He died in 1761.

The contest which the New York Assembly kept up so strenuously against royal prerogative, as represented by the governor of the province, was destined to have in it one tragic episode, to which the course of our narrative has now brought us. For the chief actor in this tragedy, the one who himself made a tragedy of it, was Clinton's successor, Governor Sir Danvers Osborn. This gentleman was born at the family seat of Chicksands Priory, Bedfordshire, on November 17, 1715, and was thus only thirty-eight years old when he was appointed Governor of New York. There was nothing of the adventurer or the fortune-hunter about him, the reason for his appointment being a pathetic one. Of an ancient and honorable lineage, his ancestors since Edward VI. had held positions of trust near the sovereign's person by inheritance, and some of them had been knighted at various times. In 1662 the bearer of the name and the office was made a baronet, and Sir Danvers was the third in succession.

In September, 1740, when he was twenty-five years of age, he was married to the daughter of the Earl of Halifax. It was a very happy union, but immediately after the birth of a second

son in 1743, Lady Osborn died. The husband was inconsolable, and his reason gave many signs of being unseated. He sought distraction in public life, sat in Parliament for Bedford County; raised a troop of horse in 1745 in support of King George against the Pretender; and when still the grief hung heavy upon him in 1750 he paid a visit of six months to Lord Cornwallis, Governor of Nova Scotia. His brother-in-law, the Earl of Halifax, president of the board of trade, induced him to accept the post of governor of New York, in the hope of further curing his malady. But the remedy proved worse than the disease.

On Saturday, October 6, 1753, the vessel conveying Sir Danvers arrived at New York. On Sunday, October 7, he landed, and was received by the council, Governor Clinton being at his country seat at Flushing, L. I. Although it was the Lord's Day, a banquet was given in honor of the new incumbent. On Monday, the 8th, Clinton came into town, and a conference took place between the two men at the governor's mansion in the fort; a banquet being again given in the evening, at which both were present. The official mansion was undergoing repairs, and therefore Sir Danvers, who was quite alone, having left his boys in the care of his mother, was entertained at the house of lawyer Joseph Murray, who had married one of Cosby's daughters, and was thereby related to the late Lady Osborn. Murray's house was on Broadway, on the west side, and the garden in the rear sloped down to the river's bank. On Tuesday, October 9, the retiring governor made a formal call on his successor at this house, and the freedom of the city in a gold box was also presented.

On Wednesday, October 10, 1753, took place the inauguration of the new governor in great state. A parade of city dignitaries and the military marched from the fort to the City Hall, and there the ceremonies of induction were conducted, in the presence of a great multitude. As the two governors passed between the ranks of the crowd on either side of Broadway and Wall Street, marks of hatred and words of vituperation against Clinton

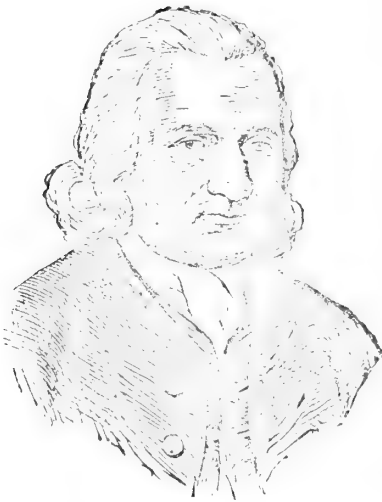
mingled with the huzzas for the new comer. These ill-timed expressions of wrath did not trouble Clinton half so much as they did the sensitive Osborn. He remarked that he fully expected that he himself would be made the target for such abuse ere he had long been in office. At night bonfires and colored lights bade the darkness flee, and another banquet followed those already enjoyed.

On Thursday, the 11th, the governor's foreboding seemed to obtain decided justification. He met with his council and confided to them that he did not like a passage in the address of the corporation which had expressed the hope that his excellency would be "as averse from countenancing as we from brooking any infringements of our estimable liberties, civil and religious." He said that he wished to ask the corporation to remove it from their address. He was earnestly dissuaded from making such a request. Remembering that his instructions directed him to do the very thing deprecated thus in advance, he asked of De Lancey how the enforcement of the instructions would be met. De Lancey replied that the Provincial Assembly would not yield an iota of the practice of voting a revenue for one year only, and for specified objects and persons. Upon this plain rejoinder, Sir Danvers bowed his head disconsolately and remarked: "What, then, am I sent here for? I shall soon leave you the government. I can not bear this burden."

That evening Osborn dined quietly at his host's. Complaining of illness, he retired early, and, although a physician was summoned, the governor disregarded his prescription. Early on the next morning, Friday, October 12, the body of the unhappy man was found suspended by a neckerchief from one of the palings in the fence of Mr. Murray's garden. The prospect of the contest before him had overwhelmed his shattered mind and broken spirit, which had never recovered from the grief of ten years before. As Governor Clinton had finally handed De Lancey his commission as lieutenant-governor on the morning of Osborn's inauguration, he now succeeded to the active administration of

the province, bearing the rule for nearly two years, until the arrival of the deceased governor's successor.

This brief period was signalized by the Congress of Albany, which formulated the first plan of Union for the colonies. The Congress was called, as so many before it, to confer with the representatives of the Six Nations and strengthen them in their allegiance to England against France. It met in the Court House, or City Hall, at Albany, on Wednesday, June 19, 1754, and there were present twenty-three delegates, four from New York, four from New Hampshire, four from Massachusetts, three



CADWALLADER COLDEN.

from Connecticut, two from Rhode Island, two from Maryland, and four from Pennsylvania, of whom Benjamin Franklin was one. Lieutenant-Governor De Lancey was chosen to preside. Conferences were held, as intended, with the Iroquois, of which nothing needs here to be said, as there was no special departure from the features commonly marking such meetings. There were flowery speeches, and solid presents, and solemn protestations and promises on both

sides. The rust was rubbed off the chain of friendship, as the Indians were accustomed to term it, and for awhile they served again their useful purpose as a buffer, or bulwark, against the assaults of the French and Indians from Canada.

We are more concerned with the session of Monday afternoon, June 24. Then, the Indian affairs having been disposed of, a motion was made "that the commissioners deliver their opinion whether a Union of all the colonies is not at present absolutely necessary for their security and defense." The motion to change the character of the Congress from one on Indian affairs to one

on Colonial Union, was passed by a unanimous vote. Franklin, who had been agitating the subject of Union in his newspaper for some time, was made chairman of a committee to draft a plan. This committee was composed of one delegate from each of the colonies represented, William Smith being the member from New York. On July 4—an auspicious date—the committee were ready with their plan and reported it to the Congress. It was discussed for some days, meeting with opposition on the part of some, among whom were Lieutenant-Governor De Lancey and Joseph Murray, of the New York deputies. But on July 10 it was adopted by the Congress, and ordered to be laid before the colonial governments, who had sent delegates to the Congress, as well as to those not represented.

The plan called for a chief executive officer, denominated President-General, who was to be appointed by the crown. The legislative department was to be called the Grand Council, which was to meet every three years, and to be composed of forty-eight delegates, chosen by the Assemblies of the several colonies, none of them to have less than two representatives, and for the remainder to be regulated by the population, so that Massachusetts and Virginia were each entitled to seven. It is a remarkable circumstance—proving that time is needed to prepare men for certain measures—that the plan met with the approval of neither the English government nor of any of the colonies themselves.

The authorities in England objected to a concentration of power whereby the colonies would become too conscious of their strength and thus advance to independence. The colonies apprehended danger from the centralization of power in the hands of an official appointed by the crown. But subsequent events so remarkably in line with this proposed “Union” bid us ever turn with a peculiar interest to this early agitation of the subject. Neither the people nor the times were ripe for the measure, but they were ripening fast. The contest that was not to end except with independence was nearing its end; and before independence Union had to be.

Before we take up the narrative of events that were to lead to this result with ever-increasing rapidity, we must devote the remainder of this chapter to a brief view of life and conditions in various parts of the province about the middle of this century, or at least about the period of its middle-decades. In these we reach the close of the colonial times, those last days of undisturbed repose in the sentiment that the colonies were and of right ought to be subject to the dominion of Great Britain. The change to a sentiment quite the opposite of this meant insurrection and revolution, and the march through the years when this change was wrought is one attended by the blare of trumpets and the roar of artillery, and all the other pomp and circumstance of war. That is, we will have to occupy ourselves almost altogether with military events in the two following chapters; therefore, it will be pleasant to refresh ourselves with some aspects of history of another kind, presenting us with the view how people lived, and ate, and dressed, and so forth.

New York City, the capital, had attained a population of over fourteen thousand souls. Several churches of respectable proportions now occupied its streets, while many of her wealthy citizens had reared for themselves handsome residences. The fame of one of them, indeed, the "Walton House," which stood till 1881, spread beyond the Atlantic, and was introduced into speeches in Parliament to prove that there was wealth enough in the colonies to bear a little taxation for their defense.

In "An American Lady," cited before, and of great value in a review like the present, we read in what relation the capital stood to the province: "At New York there was always a governor, a few troops, and a kind of a little court kept; there, too, was a mixed, and, in some degree, polished society. It was the custom of the inhabitants of the upper settlements, who had any pretensions to superior culture or polish, to go once a year to New York. Here, too, they sent their children occasionally to reside with their relations, and to learn the more polished manners and language of the capital."

Yet it is amusing to observe, as we read the historian Smith's account of customs and ways in this provincial capital, how very provincial it still was. "In the city of New York," he writes, "through our intercourse with Europeans we follow the London fashions, though by the time we adopt them they became disused in England. Our affluence during the late war introduced a degree of luxury in tables, dress, and furniture, with which we were before unacquainted, but still [Oh, shades of the Puritans, save the mark!] we are not so gay a people as our neighbors at Boston, and several of the southern colonies."

Turning to the interior of the province we learn again, by the aid of Smith, that "the Dutch counties, in some measure, follow the example of New York, but still retain many modes peculiar to the Hollanders." As late as 1756 he says that "the Dutch dialect is still so much used in some counties that the sheriffs find it difficult to obtain persons sufficiently acquainted with the English tongue to serve as jurors in courts of law." On Long Island there were now several flourishing villages, all the way from the East River to the eastern end, and fringing both the northern and southern shores. Settlements along the Hudson were collecting in nuclei for later towns and cities, Ulster County numbering six villages of great promise—Kingston, Marbletown, Hurley, Rochester, New Paltz, and Walkill—and could muster a force of militia of from fifteen to sixteen hundred men, besides a troop of horse.

Thus we are led, step by step, to the other city of the State, the quaint old town of Albany. There were scarce four hundred houses in it, distributed along a few streets pretty regularly laid out at right angles and in parallels. "One very wide and long street," we are told in "An American Lady," "lay parallel to the river, the intermediate space between it and the shore being occupied by gardens." The public edifices "consisted of a market-place, or guard-house, a town hall, and the English and Dutch churches." They all stood, this writer tells us, in the middle of the street that ran up the hill to the fort, at right

angles to the other street. It is indeed a rustic borough that she describes: "Every house had its garden, well, and a little green behind; before every door a tree was planted, rendered interesting by being coeval with some beloved member of the family."

We are enabled even to enter these delightful rural habitations and share meals with their occupants, as we read the Swedish traveler, Professor Kalm's, account of his visit in 1749. For breakfast the people had bread and butter or milk, or tea without milk, the sugar not being put into the cup but held in a lump in the mouth as the tea was drank. On the bread were



VISCOUNT CORNEBURY.

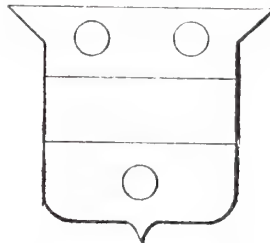
sometimes placed slices of hung (smoked?) beef. Coffee was not very commonly used. Dinner consisted of buttermilk or fresh milk and bread, and boiled or roasted flesh. In some families the buttermilk was boiled and made into a thin kind of porridge, which tasted very sour, but was not disagreeable in hot weather. At each dinner there was a great salad, with abundance of vinegar, but little or no oil. Supper again consisted of bread and butter,

or bread and milk. Sometimes cheese was served at breakfast or dinner, not in slices, but scraped as fine as flour. The drink was small beer or water. The houses stood with their gable ends to the street, and their gutters dripped nearly into the center of the narrower streets. State Street was about five times wider than the others. The front doors of houses had seats built on the porches or stoops, and here in the evening the occupants sat, greeting everybody who passed by.

To the north of Albany there had been a Saratoga, but it was now no more, and no renewal of it was as yet in sight. The

French were at Crown Point and Ogdensburg. The next considerable settlement westward was Schenectady. At the time that William Johnson passed through it, says Dr. Griffis, there was the street of the Martyrs, a sad reminder of the massacre of 1690. It had its Handelaer Street, or street of the Traders, as well as Albany, and four other thoroughfares were "lined with comfortable, one-storied, many-gabled dwellings, with here and there neat houses, all or partly of brick. Each house stood with its cozy bivalve door, shut at the bottom to keep out pigs and chickens, and to keep in the babes, and open at the top to admit light and air."

Thence we pass into the western wilderness, but reclaimed now in a good many spots. "Along the Mohawk," Dr. Griffis enumerates, "were Schenectady, Crane's Village, Fort Hunter, Warrensburg, a hamlet; Caughnawaga (or Fonda), Canajoharie, Palatine, German Flats, and Burnet's Field, now called Herkimer." In Cherry Valley, just over the hills from the Mohawk back of Canajoharie, Scottish settlers had come some years before, who contributed a sad chapter to our Revolutionary history, as we shall see. Johnstown had received a beginning; there was a fort on the site of Rome, and far beyond all was distant and lonely Oswego, a military post all the year round, a trading post part of the year. Such was the province in the middle of the eighteenth century, and as such it entered into the stirring times of the French and Indian War and of the Revolution, out of which it emerged an independent State.



GALLATIN ARMS.

CHAPTER IX.

WAR AGAINST CANADA AND REVOLT AT HOME.



HERE remain to be considered only five more governors of New York as a colony, and of these four came and went in rapid succession, or their terms were interrupted by other more congenial public acts, so that none of these made much impression upon the conduct of affairs in the province. But, on the other hand, through their inactivity or absence, two prominent colonists came to the foreground and acted the part of vigorous and conscientious rulers, fully intent upon shaping the destinies that were committed to their hands. The names of these men are already familiar to us; one was James De Lancey and the other Cadwallader Colden.

Immediately upon the death of Governor Osborn, in October, 1753, De Lancey, as regularly commissioned lieutenant-governor since 1747, took into his hands the administration. Clinton's futile dislike had kept the commission from him until the day of Osborn's inauguration, only two days before; and thus the sudden elevation which the unlooked-for tragedy brought to his enemy, must have been anything but pleasant to Clinton during the month before his sailing for England.

De Lancey's position was a curious one: in opposing Clinton he had been the leader of the Assembly in its bold stand against royal prerogative in the matter of the revenues. Now, as acting-governor, he had it in express charge to make the royal instructions on that point effective. He managed the situation with tact, being duly strenuous in pressing the king's demands and



John Jay —

mildly tolerant of the Assembly's legislation inconsistent therewith. While, also, the Assembly was more inclined to yield the point of time-grants, because of its confidence in the integrity of the man who was to administer their employment, De Lancey thus remained the chief magistrate for nearly two years, or until September, 1755.

By an order of council, dated January 29, 1755, Charles Hardy, Esq., was appointed captain-general and governor-in-chief of New York. Like his predecessor, Clinton, he was a sailor of the rank of captain in the royal navy, and, like him, too, he had previously been governor of Newfoundland. He sailed for New York in July, and arrived at his destination September 2, and the first communication addressed to him by his superiors, the Lords of Trade, bore the superscription to Sir Charles Hardy, Knight, so that he must have been knighted by the king before he started. The merits and abilities which brought about such distinctions as a gubernatorial post and knighthood lay, however, only in the line of his chosen profession, and no one appreciated that fact better than the frank sailor himself. His appearance on the scene did not really make much difference as to the chief direction of affairs. Hardy was very glad to find at his right hand so able a lieutenant as James De Lancey, and he left the burden of government undisturbed upon his shoulders.

Some of De Lancey's enemies called in question his right to bear at one and the same time the two offices of lieutenant-governor and chief justice, and the matter was submitted to the attorney-general. But the decision was in favor of De Lancey's continuance in both places, and Governor Hardy was glad to have it so. William Smith has made us familiar with an incident which gives us a charming view of Hardy's unpretentious nature, and illustrates how much he relished the decision aforesaid. The historian was present with his father, the noted counselor of the same name, at a trial in which the governor was to preside by virtue of his office. But he remarked: "I have been justice of the peace in England, but know nothing of the law.

My knowledge, gentlemen, relates to the sea; that is my sphere. If you want to know how the wind and tide suit for going down to Sandy Hook, I can tell you that. How can a captain of a ship know anything of your demurrers in law?" As soon as De Lancey came in, he turned the duty of presiding over to him, and blandly assented to his decision.

Columbia College would now be looked upon as an institution of an interest mainly local to New York City itself. Whatever it may be more than that to the State to-day, its beginning as King's College was an occasion of pride and gratulation for the entire province. Some of its youth had gone to New England—to Harvard or Yale—for a university education; now the choicest of the younger element could remain among the more congenial surroundings of the home colony. Classes had been formed a few years previously, but, in the autumn of 1753, matters had progressed so far that a president was chosen, Rev. Dr. Samuel Johnson, of the Episcopal Church. Among the largest private donors to the college was Sir Charles Hardy, and as gifts kept flowing in and students flocked to the doors of its inadequate classrooms, there was resolved to put up a suitable building on ground donated by Trinity Church, and forming part of its great farm.

Before Governor Hardy terminated his administration, he was enabled to connect his name with the institution in another way. In August, 1756, the cornerstone of the first building occupied by Columbia, on the down-town site, was laid amid impressive ceremonies by Sir Charles. Soon there were issuing from its walls such men as John Jay, and Alexander Hamilton, and Gouverneur Morris, training their intellectual life by its courses of study, but repudiating thoroughly the spirit of conservatism, and mistaken, though doubtless conscientious, loyalty to the crown when came the final break with England.

Thus far we have not had occasion to mention the development of that extreme corner of the State designated Staten Island. But, under Hardy, its population had attained a sufficient figure

to warrant the establishment of regular communication with New York City. In 1755 a ferry was inaugurated, which, by means of wind and sail, conveyed travelers from Manhattan to the other island. It was not a very safe trip when the weather conditions were adverse, nor was it then to be accomplished more than once a day in return. The population numbered twenty-three hundred souls, Manhattan Island counted thirteen thousand persons in 1756, and Long Island had at least twenty thousand. A stage route to Philadelphia, in 1756, was another sign of the times. It astonished the world of its day by the announcement that it proposed to carry passengers "through in three days only" between New York and the Quaker City.

Having by his own choice relegated the business of government to De Lancey, Sir Charles's occupation was merely playing at being governor. It was a little tiresome for a man of active spirit, and more than once he requested to be relieved and transferred to a naval command, to take part in



AUGUSTUS JAY.

the stirring events of the French and Indian War that was now upon the country. His desire was gratified in 1757. He was made rear-admiral of the White, commanding the expedition engaged in the reduction of Louisburg in 1758. Later he rose to the rank of vice-admiral, and when he retired from active service he again followed in the footsteps of his predecessor, Clinton, in being appointed governor of Greenwich Hospital, in 1771. He died in the year 1780, aged seventy-five.

Hardy's departure placed the administration in De Lancey's hands again in a visible and avowed manner, on June 3, 1757.

Without much change in policy, as indicated above, he continued thus to rule for more than three years, an acute attack of asthma suddenly terminating his brilliant career, at the early age of fifty-seven years, on August 4, 1760. Then came the chief direction of affairs at length into the hands of his rival, Cadwallader Colden. He had been in the council nearly forty years, and, as the oldest member, was its president now. As such he succeeded De Lancey as acting-governor.

Just a year later, on August 8, 1761, his position was improved by being made lieutenant-governor, the office which Clinton so greatly desired to confer upon him. Evidently the government of England was not in a hurry to appoint a successor to Hardy; but now one soon followed, and Colden ruled as lieutenant-governor, in the present instance, for only two months. He was to take up the mantle of dying or otherwise departing governors many a time thereafter. Even now he had attained the considerable age of seventy-three years—rather late to begin the most active portion of his career, and to pursue it for fifteen years longer.

Precisely throughout the period we have been discussing, from 1755, when Sir Charles Hardy came, to 1761, when Colden first became lieutenant-governor, the colonies were going through the famous struggle known as the "French and Indian War." It was almost coterminous with the "Seven Years' War" in Europe, beginning and ending a little earlier, but involving the same national interests as between France and England. The war has two notable incidents that may be regarded as marking its beginning and its end: the defeat of Braddock, in 1755, and the surrender of Montreal and all Canada in 1760. Between these two outposts all the events range themselves.

And many of the most important have made the soil of New York historic, for, both actively and passively, this province played a prominent part in the proceedings. In the first place it was the main base of supplies for all the armies. Lieutenant-Governor De Lancey urged upon the British government the

advantages of New York City for planting there "a general magazine of arms and military stores." The suggestion was so obviously valuable that the ministry soon made arrangements that the stores and supplies "to be sent to North America (except such as are ordered for particular services) should be lodged in a store-house at New York, under the care of a Storekeeper to be appointed by His Majesty for that purpose, subject to the Controul and direction of the person who shall be appointed to the command of His Maj^{ty's} forces there, and of the Gov^r or Commander-in-Chief of New York." Here, too, were the headquarters of the various commanding generals during the course of the war.

New York as a province was the base for most of the campaigns, and, of course, for that supreme object so often contemplated and attempted before—the reduction of Canada. Even Braddock's campaign was to be a preliminary movement, to be seconded from Niagara; and all the way from that extreme western boundary, along the shores of Ontario and the banks of the St. Lawrence, and down the western shores of Champlain and George and their tributaries, to the northern Hudson itself, constant battles raged, and foe and friend alternately crossed into each other's territories, carrying death and destruction. All this long and sinuous frontier was turned into a vast and fatal "firing-line."

The war was also an immense drain on its men and treasure. With a population which scarcely numbered eighty-five thousand whites, it maintained in the field nearly three thousand men. In 1755 the Assembly voted £45,000, and £8,000 in addition for enlisting men in Connecticut. A vote for £40,000 followed these grants, and again, in 1759, £100,000 in paper money was added. All this had to be redeemed, and entailed much sacrifice on the people of the colony for many a year to come.

One picturesque feature of the war was the attempt on the part of the home government to effect or force some kind of concerted action on the colonies. Of their own accord they did

not take kindly to such action. They were like a rope of sand. Franklin's plan of union of 1754 was intended to remedy this evil. But, as we saw, it met with favor neither at home nor abroad. The British ministry then proposed to have concert at least in military operations, and thus we come upon the grotesque figure of the Earl of Loudoun, bedight in gold lace, and tassels, and plumes, commander-in-chief of all the armies throughout the American provinces under English rule.

His commission established a military power entirely independent of and superior to the governors. It was a splendid eminence to occupy, but the ministry must have taken pains to select the man least fitted to fill it. Bancroft disposes of his qualifications with one sentence, saying that he was "utterly wanting in the qualities of a military officer, or of a statesman, or of a man in any sort of business." This being true, his appointment was a sort of *opéra bouffé* performance, reducing to serious history the delightful nonsense of a "Pinafore." And we need not wonder that Loudoun's course in the colonies was an incessant exhibition of the most conspicuous incompetence, coupled with the most intolerant insolence and insult. He went forth from America in a burst of failure.

Out of the temporary vision of such concentration of military power grew the not unnatural thought of associating royalty with it. And it is interesting in passing to note that there was a proposition in the minds of some to place Duke William of Cumberland, one of the princes of the blood, upon an American throne, and give the united colonies, converted into a western empire, the British constitution, remodeled and improved.

At the beginning of the French and Indian War, military operations were planned to include four expeditions. It was before the Loudoun episode, and Major-General Edward Braddock was sent out to be commander-in-chief, on a somewhat less bombastic plan. He summoned a conference of governors at Alexandria, Va., at which De Lancey presided, and here it was determined that the power of France should be assailed at

four vital points—Nova Scotia, the Ohio Valley, Niagara, and Lake Champlain. It is seen at once that two of these involved operations within the province of New York, while the possession of the Ohio Valley would only facilitate the attack on Niagara.

We know to what sad ending the expedition to the Ohio was doomed. It might have been different with a different commander. Bancroft does not delineate a pleasing character: "A man in fortunes desperate, in manners brutal, in temper despotie; obstinate and intrepid." He knew far better than Washington how to fight the Indians, and he fell a sacrifice to his obstinacy on the banks of the Monongahela, with eighty officers dead around him, and Washington alone carrying fame from that dreadful field. Thus ended the 9th of July, 1755, for our great chief; another notable July 9 in his life being when just twenty-one years later he caused the Declaration of Independence to be read to his army, assembled in the present City Hall Park, in New York City; he seated upon his horse, at the head of the troops collected about him in a hollow square. There was much to connect the two days together in a sort of logical sequence woven by history.

New York did not remain without some relation even to the expedition which committed the sad outrage at Grand Pré, immortalized by Longfellow in "Evangeline." The people removed from Acadia or Nova Scotia were brought in large numbers to this province, and distributed among some of the counties to be



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fed and supported. Three hundred and fifty of these unfortunates arrived at New York City in May, 1756, and the counties in the vicinity soon swarmed with them. The magistrates of the towns became responsible for their sustenance, and it is pleasant to record that the people in general cheerfully bore the burden, feeding, clothing, and housing them until provisions for their self-support could be carried into effect.

It was natural that an earnest struggle should mark this war for the possession of Crown Point, and all the northern region of New York province which it commanded. It had stood an encroachment and a menace far within the territory of the colony for more than thirty-four years. It ought never have been permitted to exist at all: to leave it there now unmolested would be a blunder indeed. Yet it was not easily overcome. The French made supreme efforts to retain their hold.

The expedition against it planned in 1755 was placed under the command of Colonel William Johnson. He easily enlisted a troop of Indians numbering two hundred men, led by Chief Hendrick, now gray-haired, but with natural force unabated. Johnson's army consisted of about thirty-four hundred men, including the Indians; the whites being mainly volunteer militia from Connecticut and Massachusetts. The rendezvous, as usual, was Albany. In August an advance party under the New England Major-General Phineas Lyman had gone up the river, and built Fort Edward at the place on the Hudson still thus designated. With this fortification in his rear Johnson marched on to Lake George, which received this name from him at this time, it having till now borne the French one of Saint Sacrament.

The governor of Canada sent Baron Dieskau, with seven hundred regulars and sixteen hundred Canadian militia, to the defense of the threatened point. There were, in addition, four hundred Canadian Indians and three hundred of the Iroquois Six Nations. These seemed to be on the wrong side; but they had emigrated to Canada, and were perhaps forced into this service. The old alliance, however, held sway, and they did more harm

than good to the French. In the first place they played them false as guides, and when Dieskau supposed he was near Crown Point, he was already within a short march of the English position. This was only an open camp on the very bank of Lake George, which Johnson had taken great pains to construct, omitting, however, to fortify it, except by the defenses that nature provided in the way of lake and forest.

Here came the news of the approach of the enemy, on the evening of September 7, 1755, and the next day a force of a thousand men, with two hundred Indians under Hendrick, were sent to intercept their march on Fort Edward. An ambuscade was formed to receive them, and at the first attack Hendrick fell dead from his horse. Though repulsed they marched in an orderly manner back to the camp. Dieskau wished to reach the latter in the pursuit of the retreating Americans at the same time with these, so that the confusion of their return might aid him to defeat the remainder of the army. But now the Iroquois allies played him another trick. They refused to fight the English under Johnson, and stood aloof, their example being followed by all the other Indians.

Even yet the situation in the camp, without intrenchment, was a critical one. A few trees were leveled, and cannon planted behind them and the supply wagons. The New England men by their superior marksmanship did fearful execution among the French, and probably by this alone gained the day. For five hours the battle was kept up, almost every one of the French regulars being shot down, and Dieskau himself wounded in four places. The action was directed by Lyman, second in command, as Johnson retired from the field early, by reason of a slight wound. Dieskau was made prisoner and his men fled.

General Lyman urged pursuit of the enemy, but Johnson chose to follow more cautious tactics. He kept the men in the camp under arms, all that day and night, and even refused to follow the advice of a council of his own officers to advance and drive the French entirely from the country. He seemed to think they

were too strongly intrenched, and his own forces were too meager. Thus it was soon known that Ticonderoga was occupied and fortified by the French, a position in advance even of Crown Point. Still Johnson remained inactive, except in so far as building Fort William Henry, at the southern extremity of Lake George, near the camp he had constructed there. Nevertheless the victory he had gained over Dieskau was highly applauded and substantially rewarded by the authorities at home. He was made a baronet, received a gift of £5,000, and was raised to the rank of general.

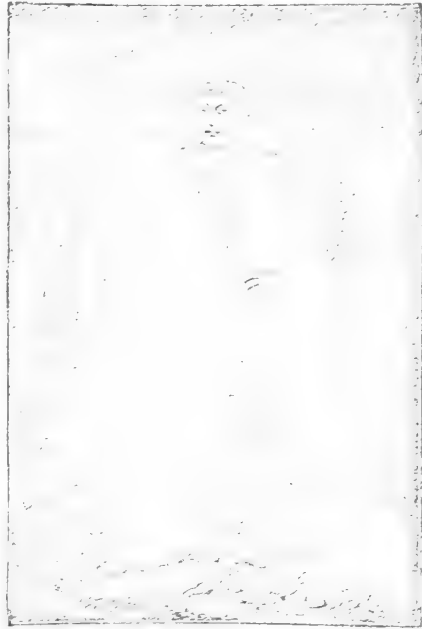
In the colonies, however, many were disgusted with his conduct, and claimed that the credit of the victory was really due to General Lyman. Even later historians speak strongly on the subject, Lossing being specially severe. He states that Johnson made no mention of Lyman in the report of the battle, and changed the name of Fort Lyman to Fort Edward. Of the rewards Johnson received he says: "They were unworthily bestowed upon an avaricious and immoral man and an unskillful general, while a noble, pure, and brave officer was suffered to go unnoticed either by his commander or his king." It was such things which made emotions rankle in the breast of the colonists that boded ill for allegiance in the future.

The expedition against Niagara was made abortive by the disaster on the Monongahela. It was placed under the command of Governor Shirley, of Massachusetts. Niagara was garrisoned by only thirty men, and the fort not much more than an ordinary house in great need of repair. But it was not much use holding this distant outpost, with the other forts of the chain in French hands. On August 21, Shirley had got as far as Oswego, and he did not get any farther. He improved the time in building a new fort there, and when he returned to the settlements in October he left a garrison of seven hundred men under Colonel Mercer. The new fort was called Fort Ontario, and stood on the east side of the river, while the old one built by Governor Burnet

was on the west side. Thus ended the campaign of the memorable year 1755 ; when winter came all the provincial armies had been disbanded.

The next event of importance was the capture of the forts at Oswego, in 1756. The celebrated Marquis de Montcalm had succeeded Baron Dieskau as commander of the French forces in Canada. Collecting an army of five thousand Frenchmen, Canadians, and Indians at Fort Frontenac (now Kingston, Can.), where the St. Lawrence issues from Lake Ontario, he crossed the lake and appeared before Fort Ontario on August 11, 1756. Colonel Mercer and his seven hundred men made a brave defense against the overwhelming force. He retired from the one fort to the other in good order, but he was killed during the cannonade against the latter, and on August 14 the garrison surrendered. Montcalm demolished the forts, leaving the country open to subsequent incursions, and retired to Canada.

The forts at Oswego had been enabled to make so sturdy a defense because they had been abundantly provisioned only shortly before by Colonel William Bradstreet, a colonial officer, who penetrated the wilderness with only two hundred men, and carried supplies of every kind, enough to keep five thousand men for six months. He had done signal service since in the operations in the vicinity of Lake George, which we shall narrate later. In 1758, promoted now to the rank of general, he led an army to Oswego, with the purpose of avenging its loss. On the way



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he stopped at Fort Herkimer, which was then under the command of Colonel Charles Clinton, the father of Generals George and James Clinton, of Revolutionary fame, the former the first governor of the State, and the latter the father of Governor De Witt Clinton. Among the ranks of his little army also served Horatio Gates, a captain at this time, and Nathaniel Woodhull, now major, later a general of Long Island militia, president at least twice of the Provincial Congress of New York, and remembered especially for the cruel treatment he received and subsequent death after the battle of Long Island.

At Fort Stanwix, the general of that name who had built the fort, placed twenty-seven hundred men under Bradstreet's command, all colonists, and James and George Clinton were among the officers of the New York contingent. At Oswego were found only the charred remains of the forts, and a wooden cross set up as a memorial of the triumph of the French. Crossing the lake in open boats, Bradstreet landed his little army one mile from Fort Frontenac on August 25, 1758. The movement was a complete surprise to the enemy, so that while well supplied with cannon and mortars, the French made but a feeble resistance. On August 27, a date to be made still more famous on Long Island eighteen years later, the remnant of the garrison surrendered, the others having fled. It was a valuable capture, as here had been collected a great quantity of military stores for Fort Duquesne and the other forts along the interior chain of French fortifications. There were also nine armed vessels, each carrying from eight to eighteen guns. Two of these ships were left at Oswego, while Bradstreet and his army returned to Lake George to join in operations there.

Still keeping our attention fixed upon the western parts of the State, we notice the logical outcome of this capture of Fort Frontenac to be the taking of Fort Niagara. This took place the next year, 1759. The days of the incompetents had now passed, and Generals Wolfe and Amherst were in the land. The expedition against Fort Niagara was given in charge of General Prideaux.

with General Sir William Johnson his second in command. The post at Oswego could now be made again a base of supplies, with Fort Frontenac no longer threatening it from the north. Here the forces were gathered together, and the movement against Fort Niagara organized.

The army landed near the fort on July 15, and immediately opened a cannonade upon it, during which one of the guns burst, killing General Prideaux. Johnson was now in command, and he pressed the siege with vigor. On July 24 a force of fifteen hundred French regulars, aided by Indian allies, attempted to relieve the besieged, but Johnson gave them battle and routed them effectually. The fort could not hold out after this failure to relieve it, and on July 25 the surrender was made. It was again a fortunate achievement, and Johnson made himself worthy of his baronetcy now, if not at Lake George. Another link in the chain of French forts was broken. Perhaps with some exaggeration natural to one writing of the deeds of a near connection, James De Lancey wrote to the home government: "His Majesty is now in possession of the most important pass in all the Indian countries."

The country above Albany was yet to suffer for some years after the victory at Lake George, from the monumental incapacity of which English generals have so often been splendid illustrations. There were a pair of incompetents under Loudoun by the names of Webb and Abercrombie. It was due to the first that our annals record the sad calamity of Fort William Henry, which also thrills us in Cooper's best *Leatherstocking Tale*. The next year after his exploit at Oswego, Montcalm was at Ticonderoga, with his eye still further inward, having the design to take Fort William Henry and Fort Edward, and so open a clear path to Albany. He sent out scouting parties, and Marin, the devastator of Saratoga in an earlier war, gathered scalps with his Indians almost within gunshot of the walls of Fort Edward.

With an army of eight thousand soldiers from France and Canada and two thousand Indians, he approached Fort William

Henry in July, 1757. Lieutenant-Colonel Monro was stationed here with only four hundred and forty-nine men. Within the lines, encamped on the site of the later Fort George, were seventeen hundred more. Montcalm very soon cut off communication with Fort Edward. General Webb, one of Loudoun's lieutenants and worthy of him, was stationed at Fort Edward with an army of four thousand men, to which General Johnson brought a considerable addition of provincials. The preceding year, having been advised by the indefatigable Bradstreet that Montcalm was about to make a descent on Oswego, General Webb marched up the Mohawk to head him off. But he took so long a time defending himself on the way against imaginary foes, that he had not got as far as Fort Stanwix, or Rome, when the news of Montcalm's success reached him. He then hastened back with fine precipitation to German Flats and Fort Herkimer, until he found that Montcalm was not after him, when he proceeded back to Albany more leisurely.

In the present campaign he acted with equal promptness and courage. Sir William Johnson, without making much of a step on his arrival, was preparing to go on further beyond Fort Edward and fall upon the enemy. General Webb ordered him to cease advancing and join his own inactive four thousand. This was unendurable to the energetic colonists, whose homes were threatened by the success of the French. The militia demanded to be led to the relief of the imperiled handful at William Henry. Webb then promised to let as many go as would volunteer; but when he found that every provincial soldier to a man volunteered, he basely broke his word, and retained them in the camp. He sent also a note to Monro, advising him to surrender. This fell into Montcalm's hands, who was only too glad to forward it to its destination.

The brave Monro would not heed the poltroon's advice, and fought for two days longer against the fearful odds. Then the few cannon he had burst from the too rapid and frequent discharges, and his ammunition was also nearly gone, and on

August 9, 1757, he capitulated. He was permitted to march out with the honors of war, and Montcalm had secured what he thought were inviolable pledges from the Indians to observe the obligations of civilized warfare. It was all in vain. The next day the savages fell upon the helpless English. French officers defended them at the risk of their own lives, but not more than one thousand of Monro's twenty-two hundred reached Fort Edward. Montcalm destroyed Fort William Henry, and Webb was not likely to make a stand at Fort Edward. It was high time that the reign of incompetency should cease, or the colonies would soon be French possessions.

It ceased when William Pitt became prime minister. With him came to America Generals James Wolfe and Sir Jeffrey Amherst, who took Louisburg in 1758. But lower down the coast there was still General Abercrombie. He was made commander-in-chief of an army of seven thousand regulars and ten thousand provincials; this leadership being seconded by Lord Howe, a young man of fine parts, who was the idol of the army and could depend upon being followed by the troops in any enterprise. This great army rendezvoused at Albany, as usual, and thence, by the way of Fort Edward and Lake George, marched northward to accomplish the reduction of Ticonderoga. It took some time to collect so large a force, and the little city of Albany and the camping-places along the march, where the gathering of the "clans" was awaited, were made lively with the martial stir of discipline and



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training, as well as with the pranks that whiled away idle hours.

One of these pranks has become historic, and bore fruit of an unexpected nature. The New England contingent arrived in June, and caused infinite merriment to the regulars, not only on account of their variegated accoutrement, but also by reason of the queer tunes that were played by their musicians. The psalm tunes of oldest date were prevalent among them, and other melodies equally ancient and grating. Dr. Shackburg, a surgeon attached to one of the regular regiments, and a wag as well as a musician, composed the air of "Yankee Doodle," and, handing it to one of the redoubtable bandmasters, assured him it was one of the most ancient and approved tunes. His word was accepted for it, and soon the officers who were let into the secret were convulsed with laughter when they heard "Yankee Doodle" assiduously rendered for the delectation and edification of New England's motley troops. The English officers were convulsed with something else when they listened to "Yankee Doodle" at Cornwallis's surrender in 1781.

This formidable army accomplished nothing. It traversed Lake George in all its length and landed to storm the defenses of Ticonderoga. Unfortunately, however, during a preliminary skirmish, while some of the troops became confused in the forest, Lord Howe, around whom centered all the hope of the army, was killed. Abercrombie was not the man to go on in the face of this discouragement. He had lost his right arm, and hesitation seized upon him, as it had Webb before him. Montcalm had only thirty-six hundred men within his lines; but he had disposed his defenses with skill, and conducted the resistance with great vigor. One determined attack only was ordered by the English general, in which nearly two thousand of his men lost their lives. Then Abercrombie gave up the fight; he ordered a retreat, and it was conducted like a panic. It was the end of the campaign in New York that year.

Things went better in 1759 under Sir Jeffrey Amherst. Again there was at Albany the gathering of the troops, the regulars

from the mouth of the Hudson, the New England contingents from the east, Johnson and other leaders from the Mohawk and the west, attended by friendly Indians. But the entire force mustered this year was only eleven thousand men, six thousand less than those who had so hopefully followed Abercrombie and Lord Howe. Yet it proved far more efficient. Ticonderoga was besieged with such skill and vigor that the French abandoned it after five days, on June 26, 1759. They retired to Crown Point, followed by the English, and that fort, too, so long a thorn in the side of New York, was abandoned on July 1.

There seemed to be no reason why this march to Canada should not be facilitated all the way by the retreat of the French, and Wolfe's expedition much needed the diversion produced by Amherst's appearance before Montreal. But, having done so unusual an amount of conquest for an English general on his way to Canada, the blight of inactivity and delay fell even upon Amherst. He wasted the remainder of the summer reconstructing the defenses at Crown Point and Ticonderoga, places of no immediate importance if Canada should be reduced. If Wolfe had been beaten at Quebec, this delay of Amherst might have been fatal to him.

The story of the Plains of Abraham is familiar to us all, and the real conquest of Canada was accomplished when Quebec fell, in September, 1759. Only a raid from Amherst's force reached a village in the vicinity of Montreal then, but the main army retired again to the lower settlements, only to prolong the costly struggle for another year. Then, in 1760, three expeditions were organized against Montreal. One sailed up the St. Lawrence, past the now harmless stronghold of Quebec. A second went up the old route from Albany along Lakes George and Champlain, placed under the command of a colonel, and of but small proportion because the route lay perfectly open.

The third and main expedition, under the command of Amherst himself, was concentrated for the final start at Oswego. There was no serious opposition to either of the armies. Fort

Frontenac was no more, one or two others in Amherst's way were abandoned or surrendered, the Indian tribes along the St. Lawrence, always easily persuaded to support the winning side, had no longer any doubt which side this was now, and offered no hostilities. On August 30 the three columns had concentrated their forces in front of Canada's last stronghold, and on September 8, 1760, Governor De Vaudreuil surrendered all of New France in America to Great Britain, and the "half century of conflict" was over.

There was an echo or aftermath of Indian warfare known as Pontiac's Conspiracy, a last desperate attempt of the Indians in the Northwest to stay the tide of white aggression. And the final episode of this, too, belongs to New York history. For it was to Oswego that Pontiac came to treat for peace. Here he had appointed to meet Sir William Johnson. Starting from the Maumee River he skirted the shores of the Erie and the Ontario lakes in his canoe. When he arrived at Oswego he was saluted by salvos of cannon like a veritable potentate. Here the sachems of the Six Iroquois Nations had also come together, and the tents of white and red chiefs and warriors were duly pitched on the plains. The conference lasted from July 23 to 31, 1766. Wampum belts were exchanged, tears real or symbolic were wiped away, bones were covered with earth, and ears were opened, and then came the endless speeches. The upshot of all was a treaty of peace, and Pontiac went away, to be assassinated three years later by an irreconcilable of his own party.

Thus in 1760 the threat of the North had been removed from the frontiers of New York province. She had freely expended of her treasure and her men, as we saw, and she was also the heaviest sufferer in this war. The Indians had carried their ravages as far south as Ulster and Orange counties. Marin, of Saratoga fame, as was said a few pages back, had murdered and burned to within sight of the walls of Fort Edward. Three hundred French and Indians swooped down upon Palatine Village, on the Mohawk, and, at three o'clock of a November morning, fell

upon the defenseless people, killing forty and carrying one hundred and fifty away to captivity. Johnson was not far away, and the approach of the French had not escaped his vigilance. He had begged Abercrombie for a force of rangers to be kept ready for such winter assaults, but in vain, and so not only this village but all the Mohawk Valley, lay open to attack, and there were unrest and panic among all the settlements.

The very efforts to save the province, as well as the country, from the enemy at the north, had been a trial hard to endure for New York, for it necessitated the march of armies through her feeble settlements at the outpost of civilization to the north and to the west, and there was often rude treatment, unjust impressment of horses and cattle, unceremonious quartering of soldiers, and forced contributions of provisions for subsistence. There was even a result disadvantageous to a positive degree from the conquest of the French, as regarded the relations between the settlers and the Indians of the Six Nations. They and the natives had been drawn together into friendship and alliance by the common enmity and common danger. There was now no such need on the part of the government to conciliate the Indians in order to play them off against the French. The conciliation was largely left to depend now upon the actual contact of friendliness or unfriendliness which the two parties should deem fit or make possible to establish. And there were sources of disturbance abundant in the rough and ready intercourse of border life in the impenetrable forest.



COL. SAMUEL VETCH.

These eventful five years have brought us to the beginning of a new governor's term. Sir Charles Hardy was finally succeeded in 1761 by Major-General Robert Monckton. There was now a new king upon the throne of England, the third George, so interesting a character to us of the United States, without whose admirable blundering we might never have been the United States. He was the grandson of George II., his father having died as Prince of Wales, and he began his reign in October, 1760, a month after the surrender of Canada. On March 20, 1761, General Monckton was appointed governor of New York by George III. He was already in America, within the bounds of his province, being in command of the king's forces, which had been quartered and encamped in large numbers on Staten Island because of its healthful situation.

The new governor was the son of Viscount Galway, of Scotland. He had learned the art of war in Flanders during the War of the Austrian Succession, and in 1753 had been appointed to service in America. He was made lieutenant-governor of Nova Scotia in 1756, and in 1759 was placed second in command under General Wolfe in the expedition against Quebec. In the action that killed his chief, he himself was severely wounded, and, as a reward for his part in the victory, he was raised to the rank of major-general. As we must dismiss him with but a brief account, we account it worth while here, as does another historian, to note that when he was offered a command in the Revolutionary War, he declined the service, refusing to fight against men who had shared with him the perils of the war against France.

A man with such a record and such sentiments toward them, we are not surprised to learn, was a great favorite with the people of New York. Unfortunately, with great lack of tact and judgment, the aged lieutenant-governor ran blindly up against this popularity by taking a very ungracious stand. In October Governor Monckton's commission arrived from England, and on November 15, 1761, he formally presented it to the council. It happened that the instructions did not accompany the commis-

sion, and upon this technicality Colden based an objection to the governor's being received, and rather hinted that it made his appointment invalid. Monckton had contemplated favoring Colden in a special manner by allowing his salary to go on as lieutenant, which usually ceased when a governor was appointed. He refused to allow this now, and upon being subjected to another piece of Colden's impertinence, threatened to suspend him, but was dissuaded by friends of both.

The aged statesman went on almost uninterruptedly in the exercise of the chief authority, for General Monckton left before the end of the month as commander of the expedition against Martinique, in the West Indies. He returned to his post in June, 1762, and remained for just one year, when Colden again was left in power for more than two years, until the arrival of Governor Sir Henry Moore, in November, 1765. As troubles increased between England and her colonies, Monckton felt less and less inclined to carry out the instructions against the people of his province, and hence he resigned its government.

His successor was a fortunate selection, as he, too, was in sympathy with the people, and of a mild and inoffensive disposition. He came just after the violent clash with Colden about the stamped paper, to be noticed below; and throughout the four years of his incumbency he disarmed opposition by consideration for the feelings of the people. Colden had made the fort bristle with armed men and cannon, in the fear of being attacked for landing the stamped paper. Sir Henry, almost at once ordered the cannon removed and the gates thrown open. While Colden, the colonist, made himself constantly obnoxious by officious loyalty to the crown, Sir Henry Moore passed through four exciting years without incurring the hatred of the people in the least, and when he died at his post, on September 11, 1769, the city and province were greatly distressed, for he was not only respected but loved.

So once more, on September 13, Dr. Colden came to the chair of state, now eighty-one years old, but as ready for the fray with

the spirit of liberty as ever. He had spent nearly all his time at his country-seat, Spring Hill, near Whitestone, on Long Island. A year of office-bearing was his, when, on October 19, 1770, the Earl of Dunmore arrived to take his place as governor of the province. He was here scarcely seven months, but there was time enough for the exhibition of a failing which seems to have grown upon Colden with age, and which had made trouble with Monckton. Dunmore was compelled to bring a suit against Colden for some part of the salary.

In July, 1771, the earl was already on his way to Virginia, of which he had been appointed governor, and the last of the series of royal governors of the colony of New York appears on the scene in the person of William Tryon. To mention Colden once more, while there was no interval between governors to put him at this time into office, he resumed the chief magistracy again for one year and three months, from April 7, 1774, to June 28, 1775, during Tryon's leave of absence in England. He was then eighty-six years old; and, as he did not die until September, 1776, he was a living illustration of the fact (having been born in 1688) that but a single lifetime spanned the interval between the English revolution of that year, and the American revolution, whereupon it had no uncertain bearing.

We must go back now and observe what were the steps that had already been taken to bring on this later revolution, when Tryon assumed the government and which made him the last of the colonial governors. It is not necessary to dwell at any great length on the agitation that prevailed in the country in connection with the imposition of the Stamp Act. That belongs rather to a history of the whole union; but to understand the part that was taken by the State a clear conception should be had of a few details. The French and Indian War, with its concomitant in Europe, the Seven Years' War, had cost England immense sums. It had doubled the public debt, which had risen to one hundred and forty millions of pounds sterling, or, say, seven hundred millions of dollars.

The statesmen of England, with Pitt, "the friend of America," among them, thought that it would be but right that the colonies here should aid in bearing the burden of this debt, in helping to pay it off. There could only be one opinion about this, either in England or in America; but the question was, how should the colonists be made to bear the burden? This question was too readily answered in England by the proposal to impose taxes directly, ignoring the machinery of government that had here been set up. We can easily judge how such direct imposition would strike a people who had since 1709 been strenuous in guarding the taxing of themselves.

The fact that the people of the colonies were so greatly stirred by the cry "No taxation without representation," has sometimes been misunderstood, as if they were clamoring for representation in Parliament; that some members from across the Atlantic should sit with that body in London. This would not have been a reasonable demand, perhaps; nor was it put forward. The colonists wanted no members of Parliament, but taxation of themselves through the regularly constituted channels, the provincial legislatures or colonial assemblies, going by various names in different provinces.

Now the trouble was that these "constituted channels" were not looked upon in that light at all: not at least as "constitutional" in any sense. They were not conceded to be a right at all, only a concession in their very existence. There had been the most persistent refusal to recognize the constitutionality of the assemblies, and therefore were their "acts," especially in the



BISHOP GILBERT BURNET.

matter of the revenue, peculiarly exasperating to the English government, who sent over every governor of New York, from Lord Lovelace down to Tryon, with imperative instructions to demand of the Assembly that it surrender its firm grasp upon the treasury. And now the king and the ministry saw a chance to work their will at last. There was no longer any danger from the north, the great expenditures for their safety would overwhelm the provincials with gratitude, the signal triumph of arms had given evidence of power to enforce the will of the government, and, altogether, now seemed the time to press the enforcement of royal prerogative as against arrogated colonial privileges.

And George III. was the man to commit that enormous blunder. As Thackeray said, trouble began when they got a king who could no more govern than the two Georges who preceded him, but who yet proposed to do so. In this pleasant process, sure to be hailed with delighted submission by a people accustomed to quite the opposite for two generations, and who had just learned that they had men in the ranks who could fight, and men among the officers who could lead—in this process such small matters would have to occur by incident as the annulling of charters, the rendering of judges dependent for their every breath upon the crown, and the practical abolition of the independence of juries, or of the finality of their verdicts.

Those who liked this sort of medicine would then be further put upon another palatable diet. They would be enabled to rejoice in the exhilarating privilege of having a tax imposed upon them directly by Parliament. And this was to be effected by the Stamp Act, requiring all legal instruments, bills of sale, marriage licenses, etc., to be executed upon paper bearing a stamp, all the way from one shilling to thirty. The act was passed in March, 1765, and was to go into effect on November 1. Protests against it had been of no avail; the assemblies of various colonies had communicated on the subject by means of "committees of correspondence," and when the news of the passage of

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W^m Walton

the Stamp Act reached America, a congress was called to meet in New York on October 7, 1765.

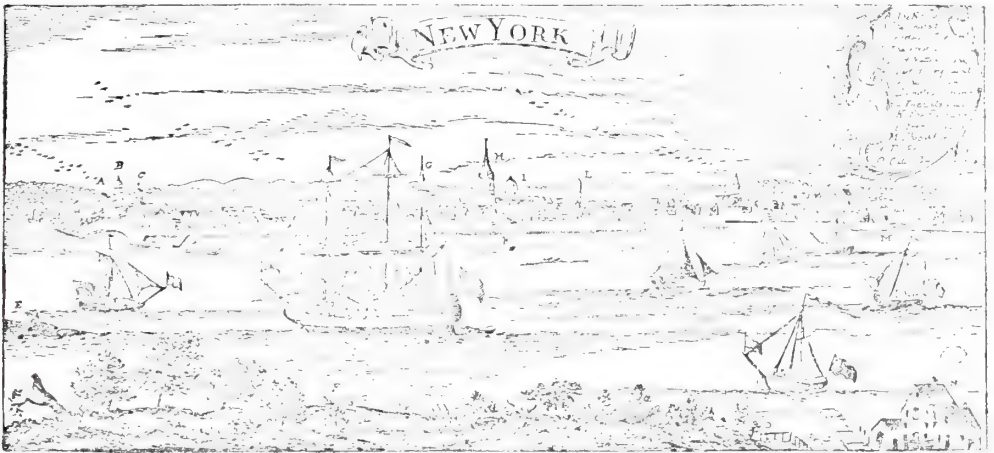
It was the first act of union, although not all the colonies were represented. It adjourned on October 28, after preparing three addresses, one to the king, one to Parliament, and one to the people of England, protesting against the act. On October 23, the ship bringing the stamped paper to New York anchored in the harbor. Colden could get none of the captains in port to take the responsibility of landing it. On the evening of November 1, the date for the going into effect of the act, there was a demonstration in the streets of the city, and Colden's effigy was burned at Bowling Green, in front of the fort walls. Such movements were organized by the "Sons of Liberty," or "Liberty Boys," who represented the more violent and radical section of the friends of liberty.

A more effective means of resistance was that pursued by the sober element of the community. On October 31, 1765, the night before the momentous November 1, the merchants of New York signed a non-importation agreement. By this they agreed to import no goods whatever from England so long as the Stamp Act was in effect. The scheme was proposed to the merchants of other cities, and Boston and Philadelphia soon followed suit.

It proved an almost self-ruinous, but most potent weapon of defense, for soon all mercantile England was in arms, and clamored for the repeal of the Stamp Act as loudly as the Americans. Thus it came to be that the obnoxious measure was only short-lived. Exactly a year after its passage, in March, 1766, the Stamp Act was repealed. Then there were rejoicings and loyal demonstrations galore, and up went the liberty poles. Those in New York City gave occasion to frequent collisions with the troops quartered there, and, as one result, there occurred on January 18, 1770, the "Battle of Golden Hill," in John street, in which a couple of American sailors lost their lives, thus antedating and anticipating the "Boston Massacre," in March of the same year.

whose five victims are usually accounted the first martyrs in the cause of American independence.

Although repealing the Stamp Act, the right to tax the colonies was distinctly asserted by Parliament, and in 1769 it was done by laying duties upon glass, painters' colors, a few other articles, and tea. At once the merchants of New York took up again the weapon that had proved so formidable before. A second non-importation agreement was formed, affecting all the articles subject to duty. It was kept faithfully by the men of New York, although secretly broken by those of other cities



VIEW OF NEW YORK, 1732.

until the strain of that false dealing compelled them to openly announce the abandonment of the agreement. But even before this, the duties had been taken off all the articles but tea. Then the Americans drew the line at this. No tea was imported from England, and no tea was drunk, except that smuggled into the land by the nimble agents of the Dutch East India Company.

The English company was nearly ruined, when the king and ministry thought to catch the Americans by guile. They reduced the duty to so low a figure that English tea could underbid even the smuggled Dutch tea. But it would not do. It was not price the people were after but principle. Then Boston had its tea party, on December 16, 1773, and Charleston and Philadelphia

declined the tea. New York sent back one tea ship, and threw the cargo of another into the East River.

It was the last straw that broke the camel's back; the patience of the English government was exhausted; it would now try its power. The Boston Port Bill was passed in March, 1774, without a voice or a vote against it. By this, after June 1, the port of Boston was closed to all commerce, customs officers were removed from it, and no merchandise could be loaded or discharged there, until the king should see fit to allow it. The city was also to indemnify the East India Company for the tea destroyed. General Gage was made governor of Massachusetts, and sailed with four regiments from Portsmouth, with the avowed purpose of forcing Boston to obedience. It was not, however, a question of one city any longer. The Boston Port Bill was a challenge to the entire country, and it was gallantly taken up. Now came into vogue Franklin's motto of an earlier day: "Unite or die." The colonies chose to unite and live.

In the midst of arbitrary proceedings sustained by armed power, Boston nominated five delegates to a congress of the colonies to be held at Philadelphia. New York and the others appointed a similar number, elected by popular vote. On September 5, 1774, the Colonial Congress met and prepared addresses, as had done the one in 1765. Its most important act was to order or recommend the election of delegates to another congress to meet on May 14, 1775. When that date arrived things had occurred which called for more definite acts and provisions for the future. The delegates from New York to the first congress were all residents of the city, but with family interests reaching into the interior. Three were merchants, Philip Livingston, John Alsop, Isaac Low; and two lawyers, John Jay and James Duane.

Meanwhile we must not forget that all this time there was a governor of the province of New York, and the last one of that series. William Tryon, now lieutenant-general, began life as captain of the footguards in 1751. He rose as the years

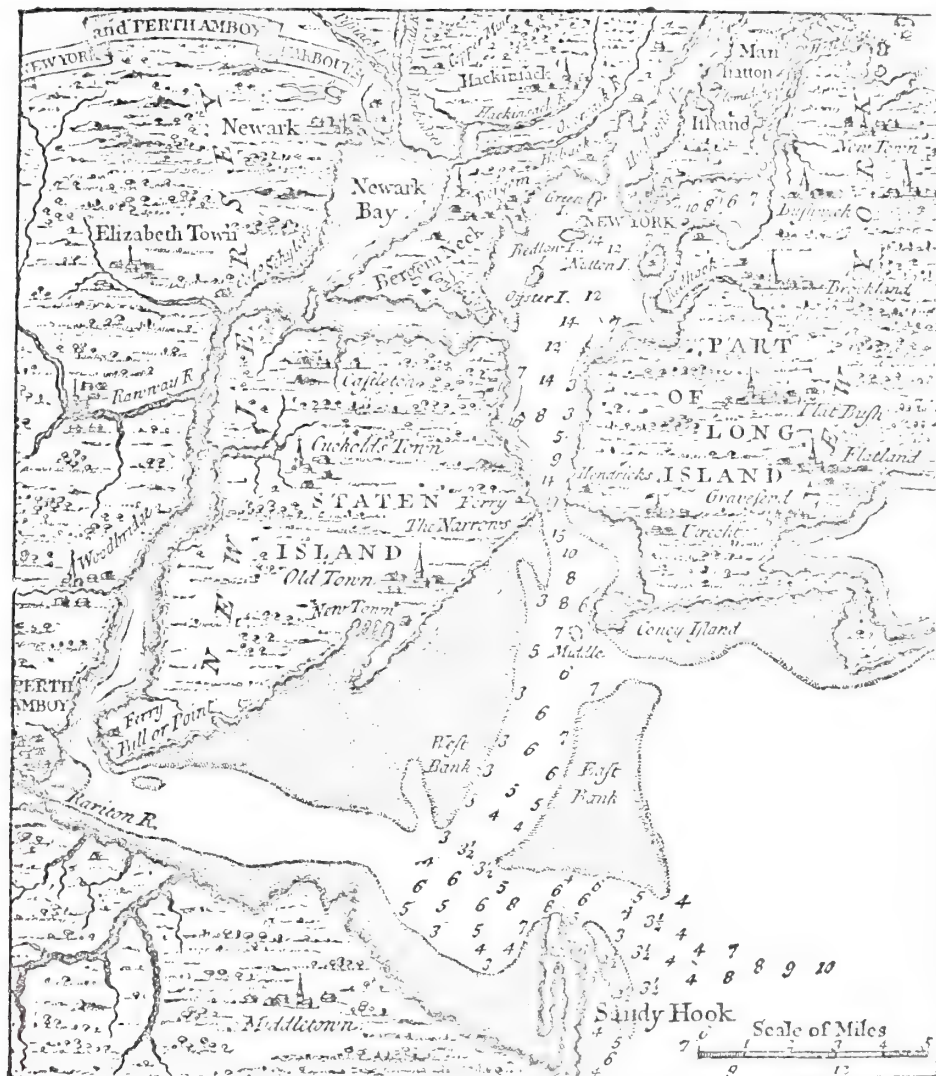
progressed to colonel, and in 1764 was made lieutenant-governor of North Carolina, and "gazetted" governor the next year. Thence he was transferred to New York, as some vigorous handling of an insurrection in North Carolina promised ability to cope with the situation here. There are various estimates of his character. When he went off on his leave of absence to England in April, 1774, an impartial writer in the paper of that date said that "no governor of the province was ever treated by all degrees of people with more respect and affection; nor did any ever show more sensibility of it, or take a more affectionate leave of the people."

We know Tryon rather by what he did during the Revolution, and, based on that, O'Callaghan says: "It is unnecessary to speak of his career in America, as that is already as notorious as it was odious." Only lately, in June, 1893, the world was startled by the fate that met a descendant of the governor, Admiral Sir George Tryon, who went down in his flagship, the "Victoria," in the Mediterranean, as the result of a collision with another ship, caused by his own blunder. When, in 1772, Albany County was slightly relieved of its immense size by the creation of two counties, one at the north and the other at the west, the latter was named Tryon County after the governor, going by that name all through the Revolution, becoming Montgomery County in 1784.

While committees of correspondence, and liberty boys, and colonial congresses were taking up the battle for freedom, the same battle was also fought on the old ground of the Assembly. The contest that began under Lord Levelace was not forgotten as it neared the end to which it pointed so long ago. The new governor was made aware of it when he met the first assembly after his arrival. It voted him a salary of two thousand pounds. They knew very well that this was in defiance of the king's instructions, for Dunmore had notified them in January of the same year (1771) that he would not be permitted to accept a salary from the Assembly, but that it would be paid directly

from the king's treasury. This was part of the new policy to make all colonial officers independent of their people.

Tryon's instructions were in keeping with this, and he imme-



POPLE'S PLAN OF NEW YORK CITY AND ITS ENVIRONS, 1733.

diately informed the Assembly that he was to accept from them neither a salary nor presents. Colden was met by an address in September, 1764, when the Stamp Act was imminent, which clearly defined the sentiments of the Assembly on the subject.

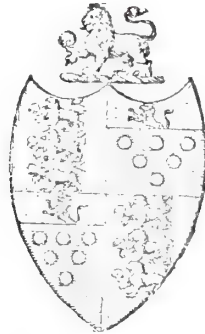
"We hope," they said, "your Honour will join us in an endeavor to secure that great badge of English liberty of being taxed only with our own consent, to which we conceive all His Majesty's subjects at home and abroad equally entitled."

"The New York Assembly," remarks Ellis H. Roberts, summarizing their attitude at this growing critical period (and his words deserve to be read with earnest attention by every citizen of the State): "The New York Assembly was systematic and vigorous in its discussion of the relations of the colony to Parliament, and its petitions embody a complete and effective statement of the convictions and purposes which actuated the patriot leaders. Far less than justice has been done to their authors, and to the Assembly of New York, for their courage and fidelity, for their eloquence, for their worthy championship of a great cause. While Massachusetts and Virginia have coined for current use the speeches of their writers and orators, it is still necessary to dig out of the official records the text of these documents, in which New York advocated high principles in a grand way."

This neglect on the part of the people of New York or of the nation, of these contributions of New York to patriotic sentiment or phraseology, as compared with Massachusetts and Virginia, is a complaint that can not be too widely circulated, so that it may bring about the remedy. But doubtless the change of attitude which came over the New York Assembly at the last moment may have had something to do with the matter.

For it has to be confessed that as the contest which it had initiated at the first, and maintained for so long, came to the point of straining the relations with England to such an extent that nothing could follow but an actual and violent separation, the Assembly of New York began to reflect more and more the element in the colony that hesitated to carry the assertion of rights to so radical and revolutionary an extreme. The later bodies contained many members decidedly royalist in tone, who were inclined to seek reconciliation of the breach the Assembly itself had been diligently making for two generations.

The last Colonial Assembly was dissolved *sine die* in April, 1775, simultaneously with the news from Lexington, and the Provincial Congress took its place a month later, called together by the urgency created by the first battle of the Revolution. In June, 1775, after the battle of Bunker Hill, Governor Tryon returned from his leave of absence, and on the same day Washington passed through New York City, on his way to take charge of the Continental Army. In October, fearing arrest, Tryon removed his family and goods to a frigate in the harbor, and thence conducted the government, such as he still had. He is supposed to have been implicated in the plot to poison Washington. His incumbency was officially ended in 1780, when James Robertson became military governor of the remnant of the province.



DONGAN ARMS.

CHAPTER X.

THE BATTLEGROUND OF THE REVOLUTION.



IN language not quite so subdued, but much more expressive in conveying the idea of our caption, the soldiers of England were wont to call New York "the cock-pit of America." It had proved a pretty constant fighting ground during the previous war; it was destined to be the center and aim of military plans and maneuvers throughout the Revolution. Although the battle began on Massachusetts soil, it was soon transferred to our own State, and that by deliberate purpose of the English government. In July, 1775, when the news of Bunker Hill could hardly have reached them, the plan adopted was this: "To command the Hudson with a number of small men-of-war and cutters, and maintain a safe intercourse and correspondence between Quebec, Albany, and New York, and thus afford the finest opportunity to their soldiery, and the Canadians, in conjunction with the Indians, to make continual incursions into Massachusetts, and divide the provincial forces, so as to render it easy for the British army at Boston to break the spirits of the Massachusetts people, desolate their country, and compel an absolute subjection to Great Britain."

The battle of Lexington was not yet a month old, and it was more than a month before Bunker Hill's inspiring experiences, when, on May 10, 1775, Colonel Ethan Allen and his Green Mountain boys took Ticonderoga. The credit of first turning the attention of the military authorities to the strongholds that had

so often been the bone of contention in the previous war, belongs to Benedict Arnold, who was destined to reap his chief fame and shame on the soil of New York. He was hastening thither with a colonel's commission, and only a handful of men, expecting the rest of his command to follow him, when he found that the same idea had occurred to Ethan Allen and the Vermonters, and being nearer they were on the way to Lake Champlain in force. The mountaineers would not let Arnold supersede Allen, so the former joined as a volunteer.

Coming opposite the grim fortress, there were not found boats for more than eighty-three men to cross the lake. The enterprise brooked no delay, for surprise was their only hope, so, under cover of the night, on May 9, over these went on their reckless exploit. When dawn had scarce begun, on May 10, the little army marched stealthily upon the fort, whose occupants thought they were alone in the wilderness. A sentry was overpowered without noise, the sally port was entered, and they deployed upon the parade within the walls ready for assault upon the foe there. But none were there. Allen then proceeded to the commandant's quarters who was half out of bed when the uncere- monious visitor rushed through the door. Allen demanded the surrender of Ticonderoga in due form. "By what authority?" was the astounded reply. "By the authority of the great Jehovah and the Continental Congress." The sturdy patriot slightly mortgaged the future by this sally, for the Continental Congress had adjourned till May 13, but happened to meet on this very day, when it was a few hours older.

The surrender of Crown Point was a matter of course, after Ticonderoga had fallen, and it yielded two days later to Colonel Seth Warner and another detachment of Green Mountain boys. The exploits were of great value to the cause of the colonies, not only on account of the strategic situation of the forts, but they were stored with military supplies. No less than one hundred and twenty cannons were secured, many of which were made to do service in the siege of Boston, and were also used to

equip the forts along the Hudson. Ethan Allen was taken prisoner during the campaign against Canada this same year. After some hard experiences suffered on board a transport to England, he was sent back again and kept on parole at one of the farm-houses in the town of New Lots (Flatbush then) on Long Island. Arnold, his companion in this undertaking, had a more brilliant career with a less honorable ending.

The capture of Ticonderoga invited the attempt of the British to retake it, and Sir Guy Carleton, the governor of Canada, was known to be taking steps to invade New York from the north for the purpose. Thus early in the history of the war Congress was compelled, in order to forestall these efforts, to listen to the suggestions of military men and authorize the invasion of Canada. Benedict Arnold was sent to carry out a plan of his own with one thousand men detached from Washington's army before Boston, whom he led on the famous march through the wilderness of Maine to the gates of Quebec. There was also organized an expedition against Montreal, which was, of course, to follow the old familiar route along the two northern lakes. The command would naturally have been given to Colonel Philip Schuyler, who had succeeded to all his father's virtues and abilities. But he was ill at this time, and so the leadership of the Montreal expedition devolved upon that other interesting and heroic character, Colonel (later General) Richard Montgomery.

When an officer in the British army, on duty in America, he had fallen in love with one of the belles of New York, Miss Janet Livingston. He was ordered to England with his regiment, but returned to claim his bride, and he threw in his fortunes with the colonists when the break with the mother country occurred. A force of two thousand men was collected at Albany, the first four regiments raised in New York taking part in the enterprise. Before August, Montgomery was at Ticonderoga, and thence the final march was begun late in August, 1775. On September 12 he was before St. Johns, a fortified place about midway between the northern extremity of Lake Champlain and the St. Lawrence

at Montreal. Governor Carleton could muster only nine hundred men for its defense, and after a siege of about seven weeks it surrendered on November 3.

Montreal could not hold out after St. Johns was taken, and on November 12 Montgomery entered the city. On the very next day Arnold crossed the St. Lawrence and climbed to the Plains of Abraham with an exhausted army of only seven hundred men, three hundred less than when he started. Nevertheless, he demanded the surrender of Quebec. On December 3 Montgomery came up with five hundred men. Carleton was in command within the fortress, and he would neither surrender nor try the fortune of a battle on the historic Plains. Therefore it was resolved to storm the works with the handful of twelve hundred men.

It was a hazardous undertaking, but the very audacity of it nearly brought success. Montgomery with his men and



ANDREW HAMILTON.

Arnold at the head of his, made the attack simultaneously at opposite sides of the town. The assault was begun at two o'clock in the morning of December 31, 1775, in a blinding snow-storm. Arnold fell severely wounded in the leg early in the action. Colonel Morgan, of the Virginia contingent, took his place and led his men far into the city, which would have been taken if equal success had met the party on the opposite side of the works. Here Montgomery was instantly killed, three bullets having struck him at once. The fall of their beloved general brought

discouragement to the hearts of his men, and they hesitated to advance, until the garrison had time to collect, and they were driven back.

Ere the action ceased, Montgomery's body was carried to a place of safety by one of his aides, Aaron Burr, later so noted in the annals of the State and of the country. He was buried in the cemetery of the garrison after the Americans had retired, and his remains tarried there in peace until 1818, when, at the instance of Governor DeWitt Clinton, the New York Legislature ordered the body of General Montgomery to be removed to New York City. The Continental Congress had voted that a beautiful cenotaph be erected to his memory in 1776, which was placed in the rear of St. Paul's Church, facing the sidewalk on Broadway, where throngs of busy men daily pass and repass. The honored ashes were transported in state down the Lakes Champlain and George, and the casket exposed to public view at Albany for some days. They arrived here on Saturday, July 4, 1818. On Wednesday they were placed on board the steamer "Richmond."

The general's widow was still living, and resided at a county seat near Rhinebeck. As the steamer arrived opposite the house it stopped, the band played a funeral march, and a salute was fired. Mrs. Montgomery wrote shortly after this occurrence to a relative: "However gratifying to my feelings, every pang I felt was renewed. The pomp with which the funeral was conducted added to my woe. When the steamboat passed with slow and solemn movement, stopping before my house, the troops under arms, the dead march from the muffled drums, the mournful music, splendid coffin canopied with crape and crowned with plumes—you may conceive my anguish, I can not describe it." Their married life had continued but two years when Montgomery was killed, and it was now forty-two years since that fatal day. Yet "her soldier," as she always fondly called him, had never lost his place in her heart. She had requested to be left alone on the porch as the funeral cortége passed.

The costly sacrifice produced no adequate results. Arnold

remained near Quebec through the dreary winter, and was reinforced by General Sullivan in the spring of 1776. But Carleton now had a force of thirteen thousand men, mostly Hessians. He recaptured Montreal and drove the small army of the Americans back to their own provinces. The retreat was well conducted, but this could not change its character, and in June, 1776, Sullivan was glad to quarter his exhausted troops at Crown Point, and the Canadian expedition was at an end.

Meantime much had been going on in lower latitudes. The headquarters of the Continental army had been shifted from Massachusetts to New York. Boston had been evacuated by the British in March, 1776. Now the blow of the enemy was about to be directed fairly and squarely at the center, as laid down in their plan of 1775. Before this the ministry had but intended to punish Boston or Massachusetts. They had begun to find out that they had on hand a bigger task than that, namely, the subduing of a nation, which had just risen to the consciousness of being such. And the preparations now made were correspondingly vigorous. Instead of four regiments sent out with General Gage, there now was collected such an army as these shores had never seen. It was landed on Staten Island in July, 1776, and was thirty-four thousand strong, on paper, with an actually available fighting strength of twenty-five thousand men at least. To this was joined a considerable naval force of several first-class ships and innumerable lesser craft, against which the patriots had practically nothing to oppose. Evidently the king and ministry meant business. It was now or never with them.

Easily conjecturing and anticipating this supreme effort and its direction, Washington concentrated his army at New York and betook himself there. As early as February, 1776, General Lee had been sent to fortify the city and to watch the enemy. In April he first sent General Putnam to take command, and then came himself. His task was not an easy one. New York was, without doubt, the object of the attack for which the enemy

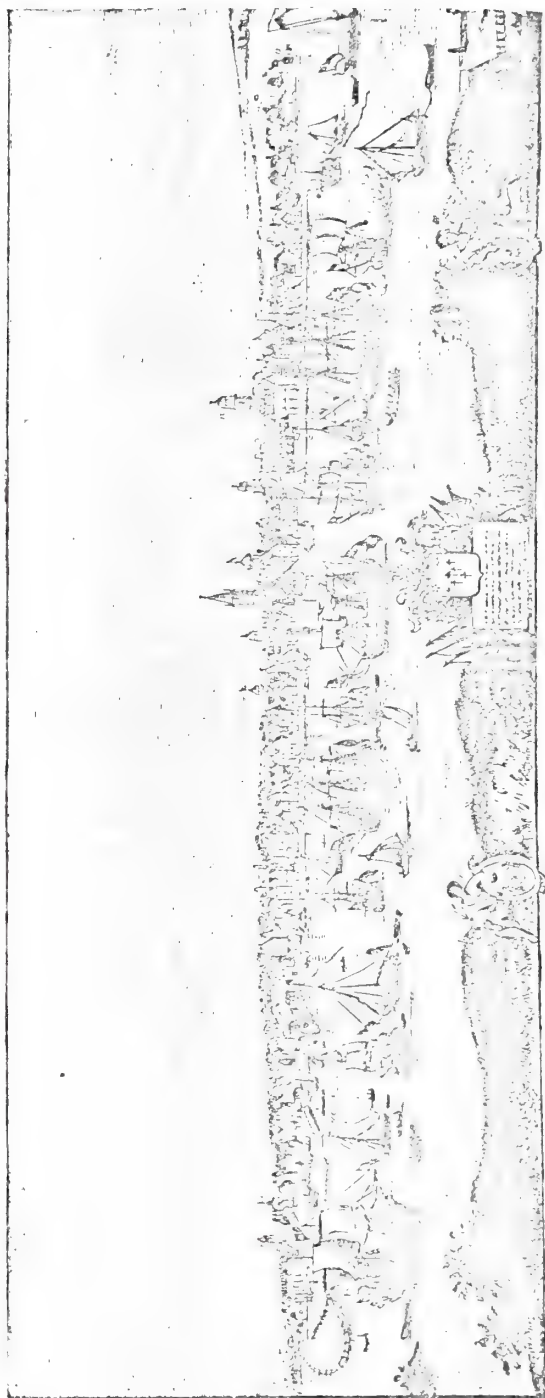
were then preparing on so large a scale. But where, at its many vulnerable points, would the enemy come knocking for entrance? With an illimitable navy that could not be met on its own element, the English generals could select whatever point they pleased. And this being so, the line of defense was pretty extensive, and difficult to cover adequately, under any circumstance. But these were against Washington on many other accounts than those mentioned. He had by no means a sufficiency of troops, and what he had was almost unmanageable. Twenty thousand would be an extravagant estimate, and certainly of these there were thousands not to be counted on. Enlistments were constantly expiring, and drilling or discipline was a thing their souls loathed.

Governor Tryon was still on his floating castle, administering his province from a position as near his capital as he dared to get. It would have been better for his fame if he had kept clear from an attempt to rid England of her enemies by means of a low conspiracy. Mayor Matthews and other Tory chiefs were arrested, but evidence failed to implicate them sufficiently for punishment; and perhaps Tryon, too, was not as much to blame as the heated passions of that day liked to believe. But, at any rate, there was a plot to poison Washington. The great father of his country, says Lossing, had a weakness for green peas, and one of his life guard, an Irishman by the name of Hickey, had bribed a cook to put poison into this favorite dish. She warned the general and the Irishman was promptly and properly hanged on June 28, 1776, happily the single instance of any such baseness in the ranks of the American army throughout the entire war. But the fact that the hanging took place proved that the plot to poison or kill the American commander-in-chief was not a fairy tale, whoever was or was not responsible for it.

The British king and ministry, as we said, had discovered they were dealing with a nation. That nation was only just discovering this itself. For a year the contest had been going on, when,

in June, 1776, the idea of independence was clearly put into shape before its own eyes in the congress of its representatives, and expressed in language unmistakable to all the world on July 4. And now the conflict assumed an entirely different aspect. It did so from a civil standpoint not only, but it was peculiarly intelligible on military grounds. Washington saw this with unerring good sense, and, therefore, when copies of the Declaration of Independence reached him, he determined to have the document read to his troops.

On July 9, 1776, they were marched to the "Fields," or Commons, now the City Hall Park, and about where the plaza in front of the City Hall is now, he had them formed into a hollow square,



VIEW OF NEW YORK CITY, 1776.

in the midst of which he sat on horseback with bared head, listening reverently as the momentous instrument was read. In the general order arranging for this ceremony, Washington had said: "The general hopes this important event will serve as a fresh incentive to every officer and soldier to act with fidelity and courage, as knowing that now the peace and safety of his country depend (under God) solely on the success of our arms, and that he is now in the service of a State possessed of sufficient power to reward his merit and advance him to the highest honors of a free country."

The first battle fought under these new conditions was that of Long Island, or Brooklyn, as it has been variously called. It was obvious that at Breukelen, or Brooklyn, the enemy could make the closest approach to New York by land, and this was the point finally selected for the grand assault. A strong line of defenses had been thrown across the township from the head of the bay on the north (Wallabout), to that of one at the south (Gowanus), with numerous redoubts and one or two larger forts just back of the line, upon favorable eminences. But a mile or more beyond these artificial strongholds nature had thrown up ramparts in the way of bold hills, with only a few passes through them, easily defended. Defense and attack were both guided in their plans by these natural features. It was the part of the enemy to direct their assaults against these openings in the hills; and the patriots would issue from their lines to meet the enemy first of all upon the outposts at the passes, with the intrenchments in the rear to serve as a last resort for holding their opponents at bay in case of an emergency. On this simple basis the operations were conducted.

On August 22, 1776, Sir William Howe, the commander-in-chief of the army, under cover of the navy commanded by his brother, Admiral Lord Howe (and both brothers of the colonists' popular hero who was killed at Ticonderoga in 1758), landed fifteen thousand troops under Sir Henry Clinton and Lord Cornwallis on the beach at Gravesend Bay in the town of New

Utrecht. On August 25 five thousand Hessian mercenaries were also landed there, and marched through Gravesend. A division under General Grant remained in New Utrecht; the Hessians were sent to Flatbush, and Howe, with the remainder of the troops, nine thousand in number, encamped at Flatlands, all of which townships were incorporated with the city of Brooklyn about five years ago, and are now a part of the Borough of Brooklyn, one of the divisions of the great city into which has developed the little town on Manhattan Island, which was the object of the battle these English armies came to fight.

Before dawn on August 27, 1776, General Grant set his troops, six thousand strong, in motion, to approach the American position along the road that skirted the Upper Bay of New York. At this pass was stationed General William Alexander, titular Lord Stirling, the son of James Alexander, of Zenger trial fame. The troops under him were regiments from Pennsylvania, Delaware, and Maryland, scarcely two thousand in all. He was advantageously posted on high ground, and made a vigorous defense, checking Grant's advance, although it seemed to him that the latter did not push it vigorously. At about the same time the Hessians moved up from Flatbush against the men holding the pass and hills facing that village; but neither did these troops make a very strenuous attempt to push their way, and contented themselves with rather ineffectually cannonading a fort on Mount Prospect, where the reservoir is now.

The explanation of this apparent apathy on the Bay Shore Road and at the Flatbush Pass (in Prospect Park to-day) came about half-past eight o'clock, when the Americans were astounded by the report of two cannons in their rear. Under cover of the darkness, leaving campfires burning at Flatlands and carrying not a light on the march, with such stealth that the people in the farmhouses along the road could scarcely hear their movements as they passed, the army of nine thousand men under Howe, Clinton, and Cornwallis had made a detour far to the east, and had entered the American lines through a pass facing

toward Jamaica, where there were no troops to guard nor even a patrol to give the alarm. At half-past eight this whole army stood in the rear of the American troops at the Bay Shore and Flatbush passes.

What follows can be readily imagined. The signal guns announced to Grant and the Hessian general that the time for a vigorous assault had come, and now there was no apathy in their movements. Our men at Flatbush were soon driven in, and the battle there became a rout, the troops, beset behind and before, rushing in great haste to the protection of the intrenchments. Lord Stirling was making a gallant stand against Grant's overwhelming numbers, when Cornwallis, leaving the Flatbush *mêlée* on his left, marched straight to the rear of Stirling's position.

This was now no longer tenable. Putnam had failed to warn Stirling in time of Cornwallis's approach, and his retreat was cut off. There was a desperate chance, however, of his getting to the lines, and into a redoubt near them, by sending his troops over a milldam and bridge on Gowanus Creek. But, alas! some of the men from the Flatbush Pass, in their eagerness to reach a place of safety, had burned the bridge after they had passed over it. The crossing of the creek would therefore require some time. Then, with splendid devotion, ordering the Pennsylvania, Delaware, and Maryland regiments to ford their way to the lines, Stirling, with five companies of Marylanders, turned about to face the surging mass of Cornwallis's division. Three times these gallant men drove back the enemy, Washington wringing his hands in agony as he saw such heroes sacrificed. But, finally, Stirling and the remnant of the Marylanders were forced to yield themselves prisoners.

Thus was fought and lost the famous battle of Long Island. It might have gone harder with the patriot cause if General Howe had not been quite so fond of his lunch. His men were ready to storm the American intrenchments, but he called them off, thinking enough had been done for that day, and the hour

for lunch had come. The cause of independence was further saved by Washington's force of will, and his prudence and skill, in conducting the retreat of his whole army from Long Island back to Manhattan Island. There was nothing else to do. He had not more than seven thousand men to oppose to Howe's twenty thousand, and more on Staten Island to draw from, to say nothing of the free range of both rivers for the navy. On the night of August 29 to 30 all of the American troops within earshot of the enemy were removed from the various parts of the defenses and the forts, marching in steady fashion to the river where Fulton Ferry is now, favored by the darkness during the night, and the friendly cover of a fog when night did not suffice to accomplish the feat. It was a great surprise to Howe, and the salvation of the American army.

Now there was an interval of inaction. Nearly all of the English forces were concentrated in Queens County, in expectation of a descent of General Lee from Westchester County or New England, across Hell Gate. But Lee did not



THE BEVERLY ROBINSON HOUSE, BUILT IN 1750, ON EAST BANK OF THE HUDSON, NEARLY OPPOSITE WEST POINT. ARNOLD'S HEADQUARTERS WHILE PLANNING HIS TREACHERY WITH ANDRE.

come. On Staten Island, on September 11, Lord Howe, a friend to America, arranged a conference with Benjamin Franklin, John Adams, and Edward Rutledge, representing Congress, at the Billop House, still standing at Tottenville. He hoped terms could be agreed on to mutual satisfaction, and peace restored. But it was now too late.

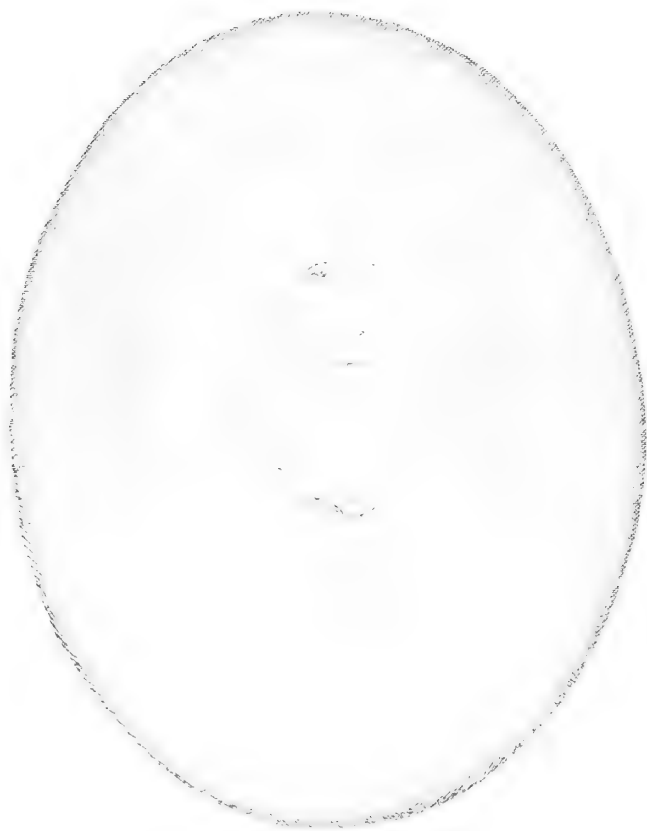
Four days after this laudable but abortive attempt, on September 15, 1776, General Howe moved on to the investment of New York. Embarking his troops in barges lying in Newtown

Creek, while five frigates cannonaded the shore at Kip's Bay (near East Thirty-fourth Street), the word for advance was given, and no opposition was made to their landing, or their march to the city at the southern end of the island. As the English marched in on the east side, General Putnam marched out along the western edge, while Washington occupied the Heights west of Harlem. Here was fought an important battle on the next day, September 16, resulting in the repulse of the English forces engaged. These were not many, but it was the first instance of the power of American soldiers to drive the Europeans from the field, and though it cost the lives of the two American commanders, Colonel Knowlton and Major Leitch, the event had an inspiring effect upon the patriot army. A tablet, placed near 119th Street, on one of the Columbia University buildings, which occupy the site where the battle was fought, appropriately commemorates this first real victory of the Americans in a regular "stand-up" fight with the British. But valor availed little with the odds so greatly against them in the early part of the struggle.

In order to dislodge Washington from his advantageous position on the Heights in New York City now named after him, General Howe resolved upon a wide detour to get into his rear. He landed in Westchester County on the east side of the Bronx River; but Washington was waiting for him on the west side. As Howe moved northward, Washington moved in a parallel line; and Aaron Burr distinguished himself by leading a daring assault on a blockhouse near the present West Farms, built by Oliver De Lancey, brother of the lieutenant-governor, a rabid Tory; the garrison surrendering without a shot, as though they were paralyzed by the audacity of the movement.

The parallel marches led at last to a collision a score of miles farther up, where was fought the battle of White Plains on October 28, 1776. It was again a victory for the Americans, for in the attack of Chatterton Hill Howe lost two hundred and thirty men against one hundred and forty of the Americans, and

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John Quincy

he discreetly withdrew. Washington fell back a little further north, and at North Castle held a position so strong that Howe did not attempt to dislodge him at all, but went back to New York. Washington had taken all his troops from Manhattan Island, except a garrison of nearly three thousand men at Fort Washington. These were now besieged, and after a brave defense surrendered on November 16, 1776.

This ended the campaign for the possession of New York City. From this date until the evacuation at the end of the war, on November 25, 1783, exactly seven years, the capital of the old province of New York remained uninterruptedly and undisputed in the hands of the enemy. Here was set up a quasi-government for the province, with General James Robertson as military governor in 1780, but it was a mere fiction of a government, except for the three islands—Manhattan, Staten, and Long—which were subject to the enemy and where many Tories dwelt. The remainder of the province, however, was converted into a State in 1777, whereof more will appear in our next chapter.

The year which saw the birth of independence was one of apparent disaster to its cause. New York City was hopelessly lost. There was only a remnant of an army with the commander-in-chief, and that had been unceremoniously chased by a mere division of the British army, under Cornwallis, clear across and out of New Jersey into Pennsylvania. But late in 1776 Washington made a fierce effort to retrieve the situation. It was the casting of every hope upon a single chance. It was "conquer or die" (the motto of his life guard) with him. And he conquered at Trenton on December 25, 1776; again at Princeton on January 3, 1777. Cornwallis had his first taste of the subtilty and promptness of his opponent, who got more than even with him in 1781 for the chase of 1776.

For New York the year 1777 is made memorable in Revolutionary history by the celebrated campaign of Burgoyne, ending in the latter's surrender. The plan of 1775, quoted at the begin-

ning of this chapter, was still working in the minds of the British ministry, and was too good to give up, even though it now aimed at something more than punishing Massachusetts. The lower end of the line between Quebec and New York had been secured; the upper end was not for a moment in danger after the spring of 1776. The point yet to secure was that at the middle—Albany. To this point it was planned to converge three expeditions. One was to go up the St. Lawrence, cross Lake Ontario, and then land at Oswego, the old familiar route of French and Indian incursions into the center of western New York. Thence the progress was to be along the Oswego into the interior, eastward to the headwaters of the Mohawk, reducing the forts there, and further along the Mohawk River to Albany. The second and main expedition was to follow that other familiar route of French incursion: the St. Lawrence, the St. John, Lakes Champlain and George, the upper Hudson, and so to Albany. The third number in this excellent programme was for Sir William Howe to execute, by coming up from his secure post at New York along the broad bosom of the Hudson to that same objective point, the quaint old town of Albany.

The master spirit who was to direct this splendid enterprise was carefully selected. General John Burgoyne was of humble birth, but a man of many brilliant parts. He was a poet and dramatist of some success, and as a member of Parliament he had gained distinction as a speaker of considerable oratorical power. Creasy, in his "Fifteen Decisive Battles," says of him that "he had gained celebrity by some bold and dashing exploits in Portugal during the last war [Seven Years' War]; he was personally as brave an officer as ever headed British troops; he had considerable skill as a tactician, and his general intellectual abilities and acquirements were of a high order." He had been with Howe at Boston and had witnessed the battle of Bunker Hill. In 1776 he had gone to England, and in personal conferences with the king this campaign was discussed in all its

details. He returned to Quebec with the commission to conduct it with all the troops Carleton could spare.

The British ministry did not think a large army was necessary for the undertaking, as they relied upon the rising of the people well affected to the mother country in northern New York and Vermont, and especially in the Mohawk Valley, where the Johnson influence was supreme. Burgoyne started on his way to Albany with about seven thousand men of the regular army, a force of five hundred artillery, about one hundred and fifty Canadians, armed with axes and other tools, needed for making progress through the forest, and an uncertain and fluctuating number of Indians; for good King George had deter-



THE VAN CORTLANDT MANSION, KINGSBRIDGE.

mined to let loose the red devils on his rebellious provincials, against the protest of many of his own officers.

Burgoyne took the field on June 1, 1777, and on June 16 he had reached Crown Point. The Americans had made no attempt to hold this, but at Ticonderoga was General St. Clair with about three thousand men. The position was deemed impregnable; but there was a crag six hundred feet high overlooking it which was supposed inaccessible to men or cannon. When, therefore, on July 5, it was found that the impossible had been done, and a battery of good-sized guns was looking down on them, the garrison at Ticonderoga resolved to leave. At night the lake was

safely crossed by nearly all the troops, when a house caught fire and showed the last of the rear guard vanishing in the forest. The fortress was occupied and a detachment under General Fraser sent in pursuit of the Americans. He fell upon the rear guard and was nearly defeated, when he was re-enforced by another detachment. Nevertheless, the larger part of St. Clair's army succeeded in reaching Fort Edward on the left or east bank of the Hudson. Here Schuyler awaited him.

This general had done all that skill and energy could do to block the enemy's advance, without men to man forts or ammunition to make forts useful. He caused trees to be felled across roads and streams, interfering with his progress, and more than forty bridges were destroyed, so that Burgoyne's utmost efforts could give his army a speed of only a mile a day. Fort George and Fort Anne were no obstacle to his advance, and on July 30, 1777, he was at Fort Edward, whence Schuyler had retired, awaiting the foe on the right or west bank of the Hudson.

Here Burgoyne issued a proclamation which was intended to rally the royalists around him. Schuyler issued a counter proclamation, and there was no rallying. Yet the situation seemed a very serious one. The enemy was perilously near Albany, and the Hudson was already reached. "It is not to be wondered at," wrote Edmund Burke, "if both officers and private men were highly elated with their good fortune, and deemed that and their prowess to be irresistible; if they regarded their enemy with the greatest contempt; considered their own toils to be nearly at an end; Albany to be already in their hands; and the reduction of the northern provinces to be rather a matter of some time than an arduous task full of difficulty and danger." But the "rapid torrent of success," as Burke called their experiences thus far, was coming to a sudden stoppage, and the "best laid plans" were about to go sadly "aglee."

On the Oswego and Mohawk branch of this combination was sent General St. Leger, with only seven hundred rangers. But there were the Indians to be drawn on *ad libitum*, and the pow-

erful interest of the sons of Sir William Johnson. The latter had died in 1771, and Sir John Johnson was now the baronet, who, with Guy Johnson, his brother-in-law, had great influence with the Iroquois of the Mohawk Valley and beyond. These men chose the side of England, as they had a right to do, but they inflamed the Indians against the patriots and scrupled not to incite them to deeds of violence throughout this whole war. Sir John had been appointed general of the militia of Tryon County, of which Johnstown was the seat. Guy Johnson had succeeded his father-in-law as Superintendent of Indian Affairs; he resided near the present city of Amsterdam, and councils of Indians frequently met there. He could turn them to suit his own purposes with perfect ease, and therefore was considered dangerous to the cause of freedom. He fled from arrest to the western tribes in May, 1775. About the same time Schuyler compelled Sir John to disarm his Tory followers, and received his parole to remain quiet. This he broke and fled to Canada. It was thought that the presence of these Johnsons in the army of St. Leger would surely arouse all the Tory element to support his expedition.

In the path of invasion from this direction stood the solitary Fort Schuyler. Much confusion has been caused by this name as to its precise location. As was shown in the previous chapter, General Stanwix built a fort of his name on the site of the present Rome. About the same time, or somewhat later, Fort Schuyler was erected on the site of the present Utica. Both forts had fallen into such decay that they were useless for defense. But in the spring of 1776 the old Fort Stanwix was put into a defensible condition by order of General Schuyler, whom Washington had appointed commander of the Northern Department, or New York, in 1775. The renovated fort was therefore named Fort Schuyler after him, and the fort of the same name at Utica was not used during this war at all. Thus the Fort Schuyler we are dealing with in this campaign must be understood as being on the site of Rome. In April, 1777, Colonel Gansevoort was ordered to occupy Fort Schuyler with the Third Regt.

ment of New York troops, and the fortifications had not all been put into proper shape when St. Leger invested it.

The militia of Tryon County were called out to resist the advance of the British and relieve the garrison at this distant outpost. Those that responded were chiefly Palatines. These people were nearly all staunch friends of liberty. At a meeting called in that district on August 27, 1774, they came out strongly in favor of resistance to the oppressive measures of the mother country in a series of resolutions. Eight hundred men now collected under the leadership of one of their own number, General Nicolaus Hercheimer, or Herkimer, and marched sturdily westward to stay the progress of St. Leger. The latter had now an army of seventeen hundred men, counting the Tories and Indians, and on August 3, 1777, he arrived before Fort Schuyler. He demanded its surrender, which Gansevoort declined, and on August 5 he flung to the breeze, on a standard captured from the enemy, a flag intended for the stars and stripes. It was made of a white shirt and bits of red cloth from the petticoat of a soldier's wife. The flag had been officially adopted on June 14, previous, but a supply of good bunting could hardly have reached Gansevoort in time. The shirt and petticoat did well enough, and led on to glorious and much needed victory.

This was snatched, however, from the very jaws of disaster and approximate defeat. Colonel Gansevoort was a most effective and vigilant officer, and notified the approaching army under Herkimer that they must be on their guard against ambuscade. They must not enter a certain defile until they heard two signal guns from the fort, which was to notify them that a sally had been made to divert attention from their approach, and enable them to cut their way through the enemy. All these precautions and devices were lost upon Herkimer's host of plain farmers. They knew of no inequalities of rank at the town meeting, and would tolerate no superior airs and dictation from officers as soldiers. They quarreled and disputed, and when Herkimer hesitated to advance until he heard the signal guns, they goaded

the irascible hero to madness by insinuating that his caution was cowardice.

Thus they were in fine condition to walk into the trap St. Leger had prepared for them. He sent forward Colonel John Butler, a friend and neighbor of Sir William Johnson, and Joseph Brant, a Mohawk Indian, whose sister Molly had been Sir William's

To my two sons

My Dear Boys,

*Thank you for your 2 Letters
and kind wishes. I hope when I return
it will be the better for you. In the mean
time be good, and obey your Grandmothers,
Lord Halifax, & Mr Beddingfield, when he comes
to you. Make virtuous and honourable men
& you will make me happy.*

*I leave you my tender Blessing &
am sincerely*

*Your affectionate Father
Danvers Osborn.*

THE SIR DANVERS OSBORN LETTER.

"acting" wife for several years. These men were to intercept Herkimer with a party of Tories and Indians familiar with the country, and prepare an ambuscade. About five miles east of the fort, or about half way between Rome and Utica, there was a deep ravine running in a general northerly and southerly direction, with a semicircle trending eastward. The bottom was marshy, with a causeway leading through it, and the ground encircled by the sweep of the valley was high and level. In the

woods covering this elevation the Tories and Indians lay in ambush, waiting for the unsuspecting, although forewarned, patriot troops.

About ten o'clock in the forenoon of August 6, 1777, Herkimer's army entered this defile, and when they were well within the trap the enemy swooped down upon them from their hiding places. The advance guard, consisting of two-thirds of the troops, were at once cut off from their supply wagons and the one regiment in the rear. The latter fled, which was unfortunate, for if they had forced their way to the front and joined their comrades they would have found victory waiting on their effort. For, though hard beset by a foe at first invisible, and, therefore, unassailable, and upon the point of giving way to panic, when the enemy made their appearance all thought of flight or surrender vanished. Most of the Tories were of the company called Johnson's Greens, a particularly virulent specimen of loyalists, who had often harassed their German neighbors who remained true to their liberties, beyond endurance.

The sight of their persecutors aroused the Palatine militia to an ungovernable fury, which put out of their heads all thought of quarter, either for themselves or their enemies, and they hurled themselves upon Greens and Indians alike in a frenzy of rage which nothing could resist. Amid the carnage, Herkimer, whose horse had been killed and leg shattered, sat upon his saddle, propped against a tree, and shouted his orders in broken English or full-fledged German, till victory was assured. Thus was fought the battle of Oriskany, a most vital element in the scheme of resistance to Burgoyne's invasion. A sally from the fort completed the discomfiture of St. Leger, who retired soon after upon the report that Arnold was coming with a force whose size was industriously exaggerated by friendly Indians. Thus the western avenue selected by the British ministry for their army on its way to Albany proved impracticable, and Burgoyne was destined to go without the support to come thence.

Equally disappointing was the support and co-operation to be

accorded him from the lower end of the Hudson. In a general way Sir William Howe knew that he was expected to go up the river in force and sustain the movement along the upper Hudson toward Albany. But the specific orders, leaving him no discretion, failed to reach him because they were inadvertently pigeon-holed. He used his discretion by proceeding to take Philadelphia. He did take it, but when Franklin heard of it he saw that it was much rather a case of Philadelphia taking Howe. It was a useless accession for strategic purposes, and it was the death blow to Burgoyne's campaign. Professor Fiske does not hesitate to say that "Burgoyne's fate was practically decided when Howe arrived at Elkton."

The blunder was at once seen and keenly appreciated by the lynx-eyed Washington. He gave Howe battle at Brandywine on September 11, and again at Germantown on October 4, and the patriots were defeated each time. But Howe was detained and lured by this strenuous opposition into thinking his exploit of great importance. And so it was for the northern campaign, which was made the occasion for slights and abuses of Washington, before and after, but the success of which was in no small measure due to the commander-in-chief. Yet Howe had not quite forgotten Burgoyne. Taking eighteen thousand men to Philadelphia he left seven thousand with Clinton at New York, with orders to take a part of these and go up to the relief, or rather support, of Burgoyne. Clinton was in no hurry; he wanted a little stronger force at New York before he started, and waited until the arrival of three thousand soldiers from England in September. Then, on the 29th, when Burgoyne had experienced his first defeat, he began his progress up the Hudson.

This could not be conducted with any great rapidity, for the patriots had taken good care to make the passage of the river as difficult as possible. In meeting the British plan of 1775, the authorities of New York had ordered that "a post be taken in the Highlands on each side of the Hudson's River, and batteries be erected, and that experienced persons be immediately sent to

examine said river in order to discover where it would be most advisable and proper to obstruct the navigation."

In pursuance of this order, Fort Montgomery was erected above Stony Point, about opposite Anthony's Nose, just at the entrance of the Highlands. From the foot of the rocky promontory on which it stood, a chain eighteen hundred feet long was stretched to the base of Anthony's Nose, part of which had been brought down from Ticonderoga, where it had served to obstruct the entrance to the Sorrel River; what it had lacked in length to span the broader Hudson had been manufactured at Poughkeepsie, where industry had already taken its seat in the shape of forges and iron works. A boom of logs swung in front of the chain, and batteries on the shores guarded the approach to it. Those who are familiar with West Point will know where Fort Clinton was erected.

From Plum Point to Pollapel or Pollepel Island (so named because it resembles the upturned bowl of a ladle, which the Dutch call a pollepel), a chevaux-de-frise was constructed. To make attacks on these obstructions at both gates of the Highlands the more dangerous, fire ships were made of rafts loaded with highly inflammable material, ready to float down in masses of flame against any intruder. The forts were begun in the autumn of 1775, and, with the various concomitant obstructing devices, finished in the summer of 1776. During that of 1777, with the Burgoyne campaign and its three divisions threatening from all sides, two additional forts were built: Fort Independence, at Peekskill, and Fort Constitution (in honor of the State Constitution just adopted), on Constitution Island. On the east General Putnam commanded with a force of four thousand men under him. On the west were Generals George and James Clinton, the former governor of the State, with an altogether inadequate force of militia.

General Sir Henry Clinton had no difficulty in foiling or fooling dear old General Putnam, so splendidly brave but so conspicuously unmilitary from a professional standpoint. It was he

who had left the Jamaica Pass unguarded at the battle of Long Island; and Sir Henry easily misled him by a feigned attack on Peekskill. While busy meeting this attack that did not come, Putnam let the British slip over to the other side and land unmolested at Stony Point. They did not propose to waste time on the chain, but marched around the western base of Dunderberg Mountain. On October 7 Sir Henry was before Fort Montgomery. The raw militia of the neighborhood, numbering only six hundred men, had been hastily thrown into the fort, and fought against the superior force of the enemy from morning till twilight, when they retreated to Fort Clinton, leaving half their number behind in dead, wounded, and prisoners.

The upper fort could not hold out after the former was taken, and thus the enemy was master of the situation in the Highlands, on the west side, where Putnam, with his four thousand, does not seem to have come over to disturb their peace. Meanwhile the enemy's ships had also passed the formidable chain. Fire ships had blazed, and cannons exploded, and magazine had blown up; but when all this hubbub had ceased making its fine reverberations among the mountains, there was nothing nor anybody left to prevent the English from quietly loosening the chain and boom. On the morning following, October 8, 1777, the fleet of the enemy passed up the river, pouring shot and shell into every farmhouse they could descry amid the woodlands of the valleys, or clinging to the sides of the hills.

Sir Henry Clinton remained at Fort Montgomery, and as the way was now open to Albany, sent General Vaughan with several frigates and the larger portion of his troops to meet Bur-



SIR DANVERS OSBORN.

goyne there. In airy style he wrote to the latter: "*Nous y voici,* and nothing between me and Gates. I sincerely hope this little success of ours will facilitate your operations." This dispatch was dated October 8, at Fort Montgomery. On October 7 Burgoyne had been beaten for the second and last time, so that the success of Clinton a hundred miles down the river did not facilitate anything except his surrender. But Burgoyne never had a chance to consider the "little success" as an element in the game he was playing at all. The dispatch was rolled up into a silver bullet and given to a courier. He was caught at Kingston, seen to swallow something, given an emetic, yielded up bullet and dispatch, and was hanged as a spy for his pains.

General Vaughan accomplished nothing, of course, in aid of Burgoyne. But he vented his spite upon Kingston on his way up. The enemy could not resist stopping to burn and desolate the place where the birth of the State had just been proclaimed, where its constitution had been read in the hearing of the people, and which was the capital of the new and hopeful commonwealth. Kingston was a pretty village with some substantial houses, and fortunately the "Senate House," built of solid stone, did not succumb to the flames, but stands to-day a monument to these struggling beginnings. But we must defer this part of our narrative to the next chapter. We dwell now only on the sad fate that befell Kingston, because of this connection with State history. Cooper, who, in *Lionel Lincoln*, has given us what has been called the best description of the battle of Bunker Hill, has put into the mouth of Leatherstocking in the *Pioneers* a vivid account, as by an eyewitness, of the burning of the village under its ancient name of Sopus, or Esopus:

"There's a place in them hills that I used to climb when I wanted to see the carryings on of the world, that would well pay any man for a barked shin or a torn moccasin. . . . The place I mean is next to the river, where one of the ridges juts out a little from the rest, and where the rocks fall for the best part of a thousand feet. . . . I was on that hill when Vaughan

burned 'Sopus in the last war; and I saw the vessels come out of the Highlands as plain as I can see that limescow rowing into the Susquehanifa, though one was twenty times further from me than the other. The river was in sight for seventy miles, looking like a curled shaving under my feet, though it was eight long miles to its banks. . . . As for 'Sopus, the day the royal troops burned the town the smoke seemed so nigh that I thought I could hear the screeches of the women."

So there was nobody to wait for Burgoyne's coming at Albany but the despised American army with its ridiculously unscientific way of dressing and doing things. As we saw, he had reached Fort Edward on July 30, 1777. Almost immediately after occurred the tragedy of which Miss Jane McCrae was the victim. Taken by Indians of the British side, and slain by American bullets in the attempt to recover her from her captors, who thereupon scalped her, a story of blood and cruelty much more wanton was made out of it at the time, greatly to the disadvantage of the British hosts, and securing hundreds of young men burning with indignation as recruits for the American cause. Schuyler established a camp at Stillwater, on the west bank of the Hudson some miles below Fort Edward, for the reception of these and other recruits that were flocking to him from all sides; and while he could do no fighting, his energetic measures cut off supplies of food almost completely from the enemy.

Burgoyne heard of a large quantity of stores and provisions at Bennington, Vt., and he sent a party of Germans, Canadians, and Tories under Colonel Baum to capture them. It was here, on August 18, 1777, that Burgoyne's "torrent of success" met with its first interruption. General John Starke and the Green Mountain Boys met Baum, and Molly Starke did not become a widow nor did the British get the stores. Away down at New-Lots, Long Island, in the Rapalje farmhouse, still standing on the New Lots Road, Brooklyn, Colonel Ethan Allen heard the news of the victory of his Green Mountain Boys, and was arrested for shouting himself hoarse and swinging his hat on the

top of the Howard House Tavern (which stood till 1885), near the Jamaica Pass.

It was a grim experience for Burgoyne, however, with no food brought back and seven hundred prisoners left behind. It also neutralized his proclamations, and sent more men to Schuyler's camp. And by this time the news of Oriskany and Fort Schuyler had reached him, rendering matters still more dubious. He could not retreat, he could not starve, and fighting was not nearly so sure of ending as he wanted it, as before. Yet fight he must. Schuyler was ready for him now. It was he who had drawn the meshes of this desperate situation around the British general and the formidable army that might so easily have ruined the cause of America. By his foresight and promptness St. Leger's campaign had been eliminated as an auxiliary. Confidence in him had drawn the wavering provincials from throwing in their aid and support with the enemy, and had brought them in adequate numbers to his standard.

All had been done to insure victory and glory in the fight that was imminent—when, by a piece of mere political intrigue, or “pull,” even then—the meanest creature by all odds that the exigencies of the Revolutionary War brought forward into public gaze, was appointed by Congress to supersede General Schuyler, and reap the harvest of success that was just ripening for the better man. This was Horatio Gates, whom we shall just mention here for accuracy's sake, but whose part in the subsequent proceedings, though he was commander-in-chief, was such that nothing is lost by not mentioning him again, which is a relief to the spirit. General Schuyler was so great a man that he went on as if nothing had happened, giving the creature who had come up to the northern army the fullest benefit of his advice and his dispositions.

The two battles of Saratoga decided the fate of the expedition that had made such a stir in two worlds, the old and the new. The first was fought near Bemis Heights, a hill two miles above Stillwater, upon which the Americans had posted themselves

advantageously, with their right wing resting upon the Hudson River, flowing placidly along, as the name of the place indicates. General Arnold commanded the left wing, where the British right opposed him under General Fraser. Here the battle began, each general trying to turn the other's flank. Arnold's men followed their impetuous leader with such effect that Fraser's line, although re-enforced from the center, began to waver. Arnold was in urgent need of re-enforcements and begged for them, but they were denied him, nevertheless victory seemed about to crown his efforts when the enemy's right, under Generals Philips and Riedesel, of the Germans, came to the rescue. There was then a lull in the battle for some time.

Burgoyne ordered a cannonade against the whole American line, to which no response was made. Next he ordered his men



COLUMBIA COLLEGE, 1758.

to dislodge the Americans by a bayonet charge. Again no response was apparent until the American works were almost reached, when there was a repetition of Bunker Hill, with an additional spring of the musketeers, like tigers, upon the advancing foe. For three hours more the battle raged, and still the result was uncertain. It was now that Arnold, having again been refused re-enforcements, dashed in alone among his men, a host in himself, followed by an aid from headquarters (where no bullets whizzed) trying to stop him. The day was saved, but no victory won; both sides resting on their arms during the night. But the effect of the battle was equivalent to a defeat for Burgoyne, who could not afford to go on with drawn battles indefinitely as the Americans on their own ground might. There

was no retreat for him to Canada, for General Lincoln, of Massachusetts, with two thousand New England men, had captured Ticonderoga, seized the battery on Mount Defiance, and destroyed hundreds of boats and vessels on Lake Champlain.

The first battle of Saratoga, or Stillwater, had been fought on September 19, 1777. There was an interval of only a few weeks during which Burgoyne's case did not improve. He received word from Clinton that he had started from New York, but the news that Howe had gained a victory at Brandywine must have caused rather mixed feelings of surprise and alarm. He had better have been on the Hudson than on the Schuylkill; but Washington took good care he should not get back.

It is pleasant to read in an autograph letter, possessed by a gentleman in New York City, that while the two armies were having each other by the throat in a life and death struggle, which meant life or death also to a nation, the horrors of warfare even then could be mitigated by the courtesies of intercourse and the consideration due to human suffering. This letter was addressed by Burgoyne to Gates, is dated "Camp on Bemis's heights," 27th September, 1777, and reads as follows:

"Sir: According to your desire I send a list of the prisoner's taken the 19th Instant, as likewise of those taken some days before and since that period. I understand that the discourse which passed between Doctor Potts and Doctor Wood respected a mutual leave [*sic*] for a surgeon or physician to visit the wounded prisoners after an action. I have not the least objection to that idea: and if you have an inclination, Sir, upon the present occasion to send Doctor Potts or any other medical gentleman to my camp he shall meet with due worship. I am obliged to you for your attention in sending both the servant and the servant's wife, and am, Sir, Your Obedient Humble Servant, J. Burgoyne. P. S.—Busyniss [*sic*] prevented my answering your letter sooner, which you will excuse."

Evidently Bemis's Heights covered more territory than the one hill the Americans had occupied during the first battle,

for Burgoyne could not have written a letter from a camp on that particular hill. He had not dislodged the Americans from their position, and the second battle of Saratoga, or Stillwater, was fought on October 7 on precisely the same ground. The tactics and conduct of it were also much the same. It began with an attempt on the American left, and Fraser again was the leading spirit among the British. General Arnold, goaded to exasperation during, and, still more, after the former battle by the unspeakable incubus who was supposed to have at heart the success of the American arms, was now without a command. But at a critical moment Arnold rode into the thickest of the fire and turned the tide of battle. Fraser fell mortally wounded, and Arnold's left leg, the same that had been wounded at Quebec, was shattered by a bullet, and his horse killed under him. But it was in the moment of victory that Arnold fell, and it would have been better for him if he had there and then met the glorious fate of Fraser. The second battle of Saratoga left no doubt in Burgoyne's mind that he had been defeated.

There was now a force of twenty thousand Americans pressing upon the remnant of Burgoyne's great army on all sides. When he retreated to the place where he had crossed the Hudson on the way to battle, three thousand Americans and several batteries occupied the hills on the other side. Holding his way to the ford at Fort Edward, it was found the Americans held a strong position just above, between that and Fort George. Just a week after the last battle, Burgoyne sent a flag of truce to the American headquarters, inquiring what terms of surrender could be granted. Unconditional surrender was asked for, but there was spirit enough left among the Britons to repudiate such a humiliation as that.

Three days later, on October 17, terms were agreed on, and Clinton's work at Forts Montgomery and Clinton did "facilitate" something: the granting of easier terms than might otherwise have been exacted. The British army was to march out of camp with the honors of war, and deposit their arms. Then they

were to march through Massachusetts to Boston, and sail for Europe, never to serve again in America during this war. This last they never did again, but they were not sent to Europe. Some dilemma occurred, which Professor Fiske does not hesitate to ascribe to the bad faith of Congress. Eventually the men were settled in a sort of colony in Virginia, and even after the war many preferred to try their fortunes in the new country.

Thus came to an end the most formidable threat to the cause of independence; and out of it came its greatest help, for the surrender of Burgoyne brought hesitating France to a decision, and her armies and fleets were soon sent over to fight the battles of freedom together, directly for us, indirectly for themselves. But we turn for a last look to incidents that grew out of the momentous event, which reflect credit upon a man of New York, and give us a glimpse of conditions of life among her people. The wife of one of the Hessian generals engaged in this campaign, Baroness Riedesel, left on record memoirs of the events she passed through. She had received no pleasant accounts of the Americans, and it was with serious apprehension she and her three children proceeded toward the American camp.

"As I approached the tents," she wrote, "a noble-looking gentleman came toward me and took the children out of the wagon, embraced and kissed them, and then, with tears in his eyes, helped me also to alight. Presently he said, 'It may be embarrassing to you to dine with so many gentlemen. If you will come with your children to my tent, I will give you a frugal meal, but one that will at least be seasoned with good wishes.' 'Oh, sir,' I cried, 'you must surely be a husband and a father, since you show me so much kindness.' I then learned that he was General Schuyler." The baroness was also the guest of the Schuylers at Albany. As they entered the noble mansion, one of the little girls called out: "Oh, mamma, is this the palace that papa was to get when he came to America?" It was slightly embarrassing to have this frank avowal made of a hope, which, no doubt, had often been expressed in the child's hearing, and

which indicated how sanguine the members of the expedition were of success and reward.

One more incident we can not afford to omit, since even Professor Fiske makes mention of it in a history meant not for New Yorkers only, but Americans in general. Burgoyne, in withdrawing from the second battle, had burned General Schuyler's handsome country-seat, with numerous barns and granaries. After the surrender he went to England, and re-entered Parliament, where he exhibited the unusual spectacle of always ad-



OSWEGO IN 1760.

vocating the cause of America. A few months after his return he spoke before Parliament as follows:

“I expressed to General Schuyler my regret at the event which had happened, and the reasons which had occasioned it. He desired me to think no more of it, saying that the occasion justified it, according to the rules of war. . . . He did more: he sent an aid-de-camp to conduct me to Albany, in order, as he expressed it, to procure me better quarters than a stranger might be able to find. This gentleman conducted me to a very elegant house, and to my great surprise presented me to Mrs.

Schuyler and her family; and in this general's house I remained during my whole stay at Albany, with a table of more than twenty covers for me and my friends, and every other possible demonstration of hospitality." How delightful it is to contemplate this grandeur of soul by the side of that creeping creature who reaped out of this event all this man's deserved glory, and then used this false fame to undermine and supersede the commander-in-chief, who towered above him in every moral, manly, and military quality, like Teneriff above a mole-hill!

It is a pity that the traditions of friendship and influence with the Indians passed from the Schuyler family to the Johnsons. For even the tribes of the Iroquois League, adhering naturally enough to the English government, wherewith they had been making treaties incessantly since 1664, as a result of the same process with the Dutch since 1617, were now let loose in furious rage against the Americans. Unfortunately their country was a vital and extensive portion of New York State. In the summer of 1778 the patriots were horrified by "the massacre of Wyoming," in the valley of the Susquehanna in Pennsylvania, not far from the borders of New York. Upon a settlement of harmless sympathizers with the cause of liberty here, fell a party of Mohawk Valley Tories and Indians, led by Colonel Butler, of Oriskany fame. The prisoners were burned at the stake and otherwise tortured to death. It was generally supposed that Joseph Brant, the Indian who was with Butler at Oriskany, also took part in this outrage. It seems he was not here. But he made up for the omission by sharing in an equally dastardly deed in November of the same year at Cherry Valley, and this place of doom was within the borders of New York, and concerns us on many accounts.

Cherry Valley was situated in what was then called the Canajoharie District of Montgomery County, when Tryon County was given this more patriotic name, and was divided into its five great districts. It lies about ten miles back from the Mohawk River, going in a southeasterly direction from either

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JAMES HENRY LEE

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Canajoharie or Fort Plain. The familiar resorts of Richfield Springs and Sharon Springs are about due west and east of it, respectively, and Otsego Lake's northern extremity is about eight miles to the west of it.

The valley is about sixteen miles long, and from one-quarter of a mile to one mile wide. The spot where the present village is located is about one thousand three hundred and thirty-five feet above the ocean level. The hills to the east are a spur of the Catskills, and three miles from the village rises Mount Independence to a height of one thousand seven hundred feet above the Mohawk, and two thousand feet above the ocean, thus towering nearly seven hundred feet above the village. The prospect from this elevation embraces a range of one hundred miles; the Green Mountains are seen in the blue distance, and all of northern New York and the Mohawk Valley. In 1738 a patent for eight thousand acres situated in this valley was given by Lieutenant-Governor Clarke to a Mr. Lindesay, of New York. He had the patent surveyed in 1739, and in 1740 Mr. Lindesay took his family into the wilderness.

He induced the Rev. Mr. Dunlop to go with him and look at the region, and the latter agreed to go to Scotland and persuade a number of families to settle here. When a question arose as to how Mr. Dunlop should address a letter to him, they fixed upon the pleasant name Cherry Valley, from the prevalence of the wild cherry in the vicinity. In 1741 people came to settle here from New Hampshire, and also the Scotch and Irish who had followed Mr. Dunlop. The latter opened a grammar school, and it enjoyed the distinction of being the first established west of Albany. The settlement did not grow rapidly the first ten years, only three or four more families joining the rest. At the time of the massacre, however, the village had a population of three hundred souls.

Late in October, 1778, intimation was sent to Major Robert Cochran, in command at Fort Schuyler, that an Indian rising, such as had devastated Wyoming, was imminent. A fort had

been built or, perhaps only a blockhouse, at Cherry Valley, and one Colonel Alden, with a handful of regulars of the Continental army, were stationed in it. On November 6 a letter was sent by Major Cochran to Alden warning him that an attack was contemplated on the village. The people also heard of it, and asked that they might come into the fort or place their valuables there. Alden refused to let them do either, as he discredited the warning sent him. He and the officers of the garrison were quartered at houses of the people, because of lack of room and convenience in the blockhouse. On the night of November 10, 1778, a party of Tories and Senecas, under Colonel Walter Butler (son of John) and Joseph Brant, or Thayendanegea, the Mohawk, encamped on the top of a hill a mile to the southwest of the fort, and overlooking the village. No one knew of their approach, for a scouting party sent out by Alden had done their work so clumsily that they were seized and murdered.

During the night it snowed, and several inches had fallen by morning, when the snow turned into rain, and the air was laden with a thick, heavy fog or haze. Under cover of this the enemy rushed down to do their devilish work upon the unsuspecting people. Colonel Alden was the first victim, as the house he stayed at was first in their path. Every house, and barn, and stable in the place was set on fire. Thirty-two of the people and sixteen of the regulars were killed outright. The aged pastor, Mr. Dunlop, saw his wife brained before his eyes, and while not hurt himself, he died from the shock a little later. A large number of the people were carried into captivity, to be subjected to the most horrible tortures. Cherry Valley was wiped out as a settlement, and the fort, too, was abandoned in 1779.

These two massacres convinced Washington that something must be done, not only to punish, but to sweep the Indians and the Tories from their haunts in New York. An army of five thousand men was detached for the campaign, the chief command of which was given to General Sullivan. Dividing his force into two divisions, he himself entered New York by way of

the valley of the Susquehanna, while the other division, under General James Clinton, went up the Mohawk River to Canajoharie, and then struck into the interior, joining Sullivan at Tioga on August 22, 1779. On August 29 the combined army had reached the site of the present city of Elmira, and here was fought a decisive battle. Sir John Johnson himself was posted here at the head of an army of fifteen hundred Tories and Indians, John and Walter Butler and Brant being also with him.

They were utterly routed with great slaughter, while the patriots lost only fifty. The subtle foe ventured no other direct encounter, but they were continually harassing Sullivan's men, cutting off small parties, and subjecting the prisoners to the most fiendish cruelties, so that the Americans were exasperated into deeds of retaliation that were scarcely less commendable. The Iroquois tribes having attained some degree of civilization, were living now in houses resembling those of white men, and extensively cultivated their fields. "All this prosperity," says Pro-



RED JACKET.

fessor Fiske, "was now brought to an end. From Tioga the American army marched through the entire country of the Cayugas and Senecas, laying waste the cornfields, burning the houses, and cutting down all the fruit trees. More than forty villages, the largest containing one hundred and twenty-eight houses, were razed to the ground."

These were harsh measures; but it was poor policy, and entailed more misery than it punished or prevented. It was the kind of warfare that only provoked, since it could not crush the enemy dealt with. The Indian and his companion, the Tory,

grown quite as stealthy and even a more cruel foe, went up and down the province, working their will at revenge in small parties and in large. Even Albany was not safe from their assaults. A party of Tories once actually got within the city with the purpose of murdering General Schuyler, and came near accomplishing it. And in many a smiling valley that had tempted settlements to nestle within its shelter, the story of Cherry Valley was repeated with distressful iteration.

On August 2, 1780, the indefatigable Brant, coming forth from that nest of Tories and hostile Indians which had been gradually forming at Fort Niagara, swooped down upon Canajoharie. The militia were away from the village accompanying some batteaus on their way up the river, and the marauders had watched for just such a chance. Sixteen of the people were killed, and fifty or sixty carried off captive, with three hundred head of cattle and horses. Fire laid desolate the church, the gristmill, and fifty-three houses, with barns and stables, filled with agricultural implements.

That same autumn, scarce two months later, on October 17, 1780, Sir John Johnson had reached Schoharie, all the way from his lair at Niagara. He was at the head of a party eight hundred strong. The Germans, as said before, had settled in this valley, their farms commencing at a point about twenty miles up the Schoharie Creek from its junction with the Mohawk, and extending fifteen miles further up, the valley being of uniform width, or from two to three miles. In the path of the enemy were found, as usual, homes desolated by fire and sword, the church claiming no exemption from such heathenish brutes. The next day, October 18, 1780, Caughnawaga (now Fonda), opposite the junction of Schoharie Creek and the Mohawk River, was burned, as likewise all the country north of the Mohawk between Fonda, just south of Johnstown, and Stone Arabia. At Stone Arabia, Johnson defeated a small force under Colonel Brown, and then he intrenched himself at a place on the river about eight miles above Fort Plain.

These raids went on without serious opposition until there was stationed in the Mohawk Valley a man who deserves more than a passing notice. This was Colonel Marinus Willett, a direct descendant from Thomas Willett, who was the first mayor of New York City, and who was himself its mayor in 1807. He had done a notable deed in the early part of the struggle in his native town, when, on June 4, 1775, the British attempted to remove arms from the fort by the cartload. Soldiers were needed for Boston, after Lexington and just before Bunker Hill, and the authorities at New York, much to the disgust of the Liberty Boys, of whom Willett was one, had given permission for them to go, on condition they should carry away no other arms than those upon their persons. When the carts rumbled out of the fort gate the alarm was spread, and just as the first cart, with a troop of regulars behind it, turned into Broad Street at Beaver (where a tablet commemorates the scene), Willett rushed up and seized the horse's bridle. The carts were fain to turn about, the arms were safely stored, and served to equip the first New York regiment for participation in the Canadian campaign.

Colonel Willett was with Gansevoort at Fort Schuyler in 1777, and led a sortie that drove Sir John Johnson from his camp. Willett seized the camp and held it long enough for seven wagons to be loaded with spoils three times in succession, which added to the provisions of the garrison food, tools, blankets, clothes, ammunition, besides maps and papers delineating the campaign in which St. Leger was engaged. Then he hoisted the flag we described on one of the captured standards.

This resolute person was in command at Fort Plain, on the Mohawk, in the summer of 1781, and it immediately became unpleasant for the Tory and Indian raiders. In July he sent a scouting party to Sharon Springs. These discovered that the enemy had ensconced themselves within a camp near the charred remains of Cherry Valley village. This was the signal for action for Colonel Willett. He at once led a party into the forest to dislodge the marauders before they could swoop down upon

some defenseless town. As he neared their camp he formed his men in two parallel lines, concealed in the woods. Then he ordered two men to place themselves in the open. The device succeeded in decoying the Indians into the forest, and when they were well in between the lines a destructive fire was poured in among them. Willett then called his men to follow him as he rushed upon the camp. Soon there was neither camp nor enemy, and the taste for a raid was completely gone.

Colonel Walter Butler was evidently not aware what sort of a man had been sent into the Mohawk region. At the head of over six hundred men he had the audacity to pass by Fort Plain and occupy Johnstown, encamping near Johnson Hall, in August of this same year, 1781. On August 22, Colonel Willett left Fort Plain with a force of only three hundred men, ordering more to follow. Without waiting for the latter he began the attack as soon as he arrived at Johnstown. Sending one hundred men to the rear of the enemy, he fell upon them in front with the remainder. The whole of the enemy engaged him at once, and his men gave way. He tried to rally them at the Hall, and then at the village. He actually stopped their retreat here; and now two hundred more troops arrived, and he hurled the four hundred back against the enemy. By this time the men had got into Butler's rear, and the rout became complete. Standing not upon the order of their going, the enemy fled fast and far. Walter Butler was pursued fifteen miles above the present Herkimer, up West Canada Creek, where he fell a victim to the bullet or hatchet of an Oneida Indian (a tribe that remained friendly to the patriots), crying out to him as he dealt the death-blow: "Sherry Valley! Remember Sherry Valley!"

To Colonel Willett belongs the credit of the last energetic action of the war. Oswego had all this time been in the hands of the enemy, it having fallen before St. Leger's approach. Here supplies could readily be brought for the use of the assassin bands that infested the State from the Niagara to the Schoharie. Willett determined it should no longer serve this purpose. In

the winter of 1781 to 1782 he marched a force from Fort Plain to this far-distant fortress, going up the Mohawk on the ice and over the snows on snow-shoes. He actually reached the place and prepared to capture it when the news was brought him here, far out in the wilderness, that war's occupation was gone, for a preliminary treaty of peace had been signed, requiring the cessation of hostilities.

A word or two more about so striking a personality will not be amiss. It has been said that he was made mayor of New York in 1807. Colonel Willett lived many a year after this, however, attaining the good old age of ninety years. By a sort of poetic justice he died on the anniversary of the battle of Johnstown, on August 22, 1830. From a newspaper of the day we learn the following facts, showing that his ruling passion remained with him to the last hour of his life: "The Coffin of Colonel Willett was made of pieces of wood collected by himself many years ago from different revolutionary battlegrounds. The corps, in compliance with a written request of deceased, was dressed in a suit of ancient pattern, with old fashioned three-cornered hat, preserved for the purpose. Several thousand persons viewed the remains."



JOSEPH BRANT.

If upon the soil of New York was enacted, in all its widely extended combinations, one of the most fortunate and gratifying episodes of the War of the Revolution—the frustrating of Burgoyne's campaign—it was also fated to be the scene of the saddest and most humiliating—the treason of Arnold. At Ticonderoga the star of his fame began to rise above the horizon; at

Stillwater, or Saratoga, it reached its highest zenith; at West Point it sank, forever quenched amid clouds of irretrievable disgrace. Yet the very magnitude of the crime contemplated by him brings into strong belief the conviction entertained by both friend and foe as to the vital importance of New York with reference to the military situation during the struggle for independence. It was the desire of Arnold and of Sir Henry Clinton to direct a blow against the cause of the patriots that would be fatal not only, but final also.

Arnold had received much provocation from Congress, always more influenced by political intrigues and cabals, than by military necessities or army interests. None but a man of rock, like Washington, could have endured their fatuous stupidities or mischievous, malicious pettinesses, which so often brought the country to the very brink of ruin. Political influences and personal or interstate jealousies had caused Congress to put deliberate slights upon Arnold more than once, when he knew and the country felt that he deserved the most signal recognition for his services. Arnold's moral fiber was not of Washington's unassailable strength. Self could rise above country with him as it could not with the greater man. And so he fell. He formed deliberately a scheme to betray his country. But it was to be done on no mean scale. The deed was to end the struggle; and in the enormity of the consequence hoped for there lies the only, the faintest, attenuation that can be conceived of.

The period was a critical one. Everything seemed at a standstill at the north. Active operations of the war through 1778 and 1779 and 1780 were conducted at the south, and there the events heard of were usually in the nature of defeat and retreat for the Americans, so that a general despondency had seized the friends of freedom throughout the States. Even the surrender of Burgoyne was regarded retrospectively as of doubtful utility. "Looking only at the surface of things," says Professor Fiske, describing the state of feeling prevalent just before Arnold's treason, "it might well be asked, and many did ask,

whether that great victory had really done anything more than to prolong a struggle which was essentially vain and hopeless. Such themes formed the burden of discourse at gentlemen's dinner-tables and in the back parlors of country inns, where stout yeomen viewed the situation of affairs through clouds of tobacco smoke."

It is conceivable that Arnold may have thought that it were a mercy to end the doubtful contest by one bold, though bad, stroke. Then, casting about for a spot where this finishing stroke might be driven, and perform its fatal effect with the least possibility of doubt, he chose a stronghold on the Hudson, the possession of which by the enemy would make him master of the river, and this, it was confidently judged, would render further resistance to England so entirely out of the question as to secure a cessation of warfare and a settlement of difficulties by convention. For this reason Arnold asked of Washington the favor of being appointed commander of West Point. The service seemed to him unsuited to a spirit so active, but Arnold pretended that his twice-wounded leg permitted no duties of a more stirring sort, and the post was given him.

West Point had been developed into one of the strongest positions that military engineering skill and judgment could construct. There had been ample leisure for this. Sir Henry Clinton's excursion of 1777, when Forts Montgomery and Clinton fell before his superior force, had not resulted in permanent occupancy. Burgoyne's surrender had compelled a prudent concentration of his forces in the vicinity of New York. The comparative inactivity and the absence of the enemy were put to good use in fortifying West Point, in order to make the Highlands impassable. The works on land and obstructions in the river were very much like those described before, but there was an improvement in the locations selected. A fort was erected on the edge of the plateau now forming the parade-ground at West Point Academy, overlooking the river and rising one hundred and eighty feet above it. It was called Fort Arnold, but

was soon rechristened Fort Clinton, and as such is a familiar spot to visitors of to-day. It afforded room for a garrison of six hundred men. Where alone it was barely accessible from the river, the way was barred by a line of palisades.

This central citadel was flanked on all sides by smaller forts and redoubts commanding its approaches from the surrounding hills; one of these was Fort Putnam, on Mount Independence. In the river, from the foot of the eminence bearing Fort Clinton to Constitution Island—just where the steamers to-day have to make a sharp bend at right angles to their course—a chain and boom were laid, pieces of which are exhibited still at West Point and the Newburg headquarters. The militia of Orange County, hastily gathered and ill trained, was no longer required to garrison so important and scientific a stronghold. The regulars of the Continental army were placed there under the best of officers.

Sir Henry Clinton could not let this work progress here without doing something to interfere with it. A most important outpost, at the entrance of the Highlands, was to be a fort building on Stony Point, a promontory of solid beetling rock, rising from the Hudson River on three sides. Before this fort could be made sufficiently defensible, Clinton came up the river in person, on May 31, 1779, and captured it, thereby reducing or silencing also a redoubt on Verplanck's Point opposite. The enemy went on to finish the works on Stony Point. They built two additional lines of fortification. They placed strong batteries on each side facing the river, and on the land side particular care was taken that the guns should sweep the only approach feasible there. A marsh separated the jutting rock from the mainland, through which led a narrow causeway; and fearful execution would be done upon the army that would dare pass over this causeway. Six hundred British soldiers were quartered here, and the place was regarded as impregnable.

But "mad Anthony Wayne," one of the bravest and most dashing of the American officers, did not regard it in that light.

The British had been ensconced in Stony Point scarcely six weeks, when, on July 15, 1779, General Wayne took it neatly out of their hands. It was to be done only by surprise. Twelve hundred men were placed at his disposal. Every dog within three miles was killed, and not a gun was loaded, so that no inconsiderate bark or gunshot might give the alarm. At midnight the attack was made, while the tide was low, allowing a wider line and a quicker approach of the whole force. The garrison was not aroused till the Americans were so near that the guns trained on the causeway did them but little harm. A bayonet charge in two columns carried everything before them, and in a few minutes Stony Point had changed masters, with only fifteen killed on the patriot side.

Thus the commander-in-chief could go on with the perfecting of his plans at West Point, and by the summer of 1780 everything was finished. It needed but so popular

and brave a general as Arnold to make the post still more effective as a bar to British progress up the river. Neither Arnold nor Clinton, with whom he had been in correspondence for some months before his arrival on August 6, 1780, were at fault in considering West Point the "key to the continent," and its surrender to the enemy equivalent to the end of the war. Beyond to the north, Albany and all that for which Burgoyne's campaign had been planned, would have fallen into British hands. If their army would come up in force, supported by a fleet, expeditions, with West Point as base, could be sent out laterally eastward and



SIR HENRY CLINTON.

westward. To the east the French contingent, sent over as a consequence of the alliance induced by the victory over Burgoyne, could have been driven out of the country; or at least it could have been checked in any movement looking toward combination with the Americans by land, something which the British fleets were most effectually preventing by water. And considering that the last hope of success, and its actual accomplishment at last, depended upon this very co-operation with the French army, it can be seen how vital a point had been chosen by the conspirators for the blow that was to wreck the cause of freedom.

On September 20, 1780, Major John André, adjutant-general of the British army, a man of brilliant parts and noble character, was sent up the river in the sloop-of-war "Vulture," warned at the last moment by Sir Henry Clinton not to put on any disguise and not to carry papers. On Thursday evening, September 21, he landed at an appointed spot four miles below Stony Point, and met Arnold. Day dawned before the details of the plot were finished, and they went to the house of Joshua Hett Smith, standing on a hill overlooking the present Haverstraw.

All of Friday, September 22, was spent at Smith's house, and during the conference André deemed it best to secure descriptions and specifications in Arnold's handwriting. These he placed in his stockings under his feet; but he had made his first fatal mistake. During this day the firing from the fort on Verplanck's Point had caused the "Vulture" to go far down the river, and it became necessary for André to travel by land. For this purpose he put on a disguise, and committed his second fatal mistake. On Friday after sundown Smith took André across the river, with orders from Arnold to conduct him to White Plains.

It was a bad country to travel through by night or by day. Westchester County was called the "neutral" ground; it lay between the British on Manhattan Island and the American outposts in the Highlands, under neither the civil nor military

surveillance of either, and became a "happy hunting ground" for lawless bands of sympathizers with either cause. We get no more vivid idea of the state of things here than from Cooper's "Spy," the scenes of which are mainly laid in this territory. Here roamed the "Skinners," who were for independence; and here, too, "Cowboys" of an order quite different from their later namesakes, made life miserable for all those who were not Tories.

But neither band made any very exhaustive inquiries into the political complexion of a barnyard filled with cattle or other good things which they had a mind to appropriate. Neither would they stop to parley long with any stray travelers whose appearance gave hope of yielding a goodly purse after being made incapable of refusing that favor. Joshua Smith, therefore, refused to ride with André at night, and they stopped at a farmhouse until dawn. There was then some dispute as to the safety of a road leading to White Plains through the interior, and one along the river, and upon André's deciding on the latter he was left to pursue it alone, and Smith returned to his house, reporting to Arnold that André was safely on his way to the British lines.

Unfortunately for him, however, the way was a long one, and various encounters were possible. He met neither Skinners nor Cowboys, but after he had crossed the bridge which was the limit to the Hessian horseman's riding in Irving's charming tale, as he was proceeding up the incline beyond it, and nearing the village of Tarrytown, in a hollow of the ground suddenly breaking away from the right side of the road, where to-day stands the monument commemorating the deed of that Saturday morning, September 23, André met three young farmers, armed with guns, on the watch for Cowboys, for they were adherents of the patriot cause. History has always fondly remembered their names: John Paulding, Isaac Van Wart, and David Williams.

Suspecting something wrong, they searched him, and the removal of his boots at once brought to light the compromising

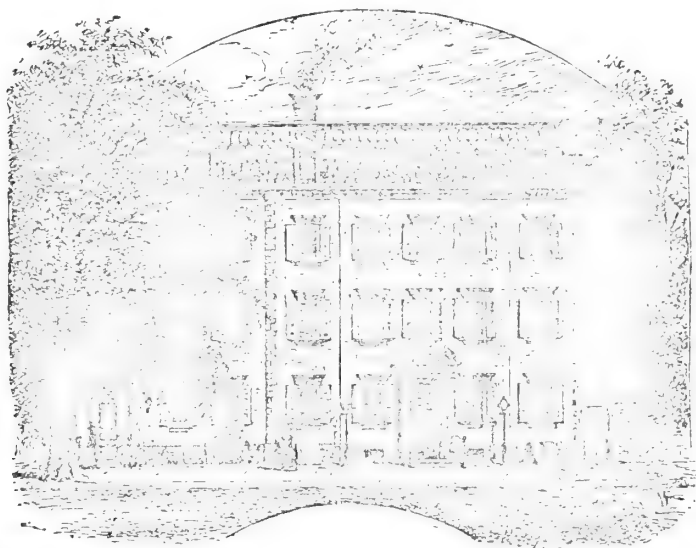
papers. André revealed his rank and promised large rewards if they would let him go. But these sturdy Westchester boys were no Skinners; they were deaf to bribery. They took André and his papers to Colonel Jameson at North Castle. The latter was puzzled. The possibility of Arnold's committing treason never entered his head, so he detained the prisoner and sent a letter announcing his arrest to his general, and by a special messenger dispatched the papers found on André's person to Washington.

The letter reached Arnold at breakfast on Monday morning, while he was awaiting Washington at the Robinson House, located near the banks of the Hudson, opposite West Point. He took a hurried farewell of his wife and succeeded in escaping to the "Vulture," waiting for André twenty miles down the river. A few hours later Washington was found by Jameson's second messenger at the Robinson House, the man being late because the commander-in-chief had taken a somewhat different route on his way back from New England and the French army than Jameson supposed he would take.

Seeing that matters at West Point were not left in the condition promised, and already arranged for by the traitor, Washington hurried down to Tappan, in Orange (now Rockland) County, where the headquarters of the army had been established. Here on Thursday, September 28, just one week after his conference with Arnold, André was brought from North Castle. There was no escaping the conclusion that he had acted the part of a common spy, although some of the circumstances and his own personality raised the event above the common. Yet such might well have been the reflection in the case of Nathan Hale, upon whom the British wasted neither sympathy nor courtesy. André had more than was perhaps his due of both, for there was much more humanity among the Americans than among their opponents. On Monday, October 2, André suffered the penalty of his perilous act. The gallows were erected on high ground, about a quarter of a mile, as one follows the winding

road, from the Dutch Church at Tappan; on the left of the railroad as one approaches the place from New York by the West Shore Road.

Sometimes it is well to turn from history to fiction, since fiction, in its intense realization of the past, serves that past better than the cold annals which often mention events rather for the sake of their order in time than of their significance as picturing to us an earlier day with its living and breathing present. And the glamour of interest in this sad end of a misguided soldier has



THE WALTON HOUSE, BUILT IN 1751, OPPOSITE PRESENT SITE OF HARPER BROTHERS' PUBLISHING HOUSE.

lately been increased by a novel which had enlisted the admiration of many, and is a real addition to American letters. In "Hugh Wynne" the imprisonment and execution of André are vividly portrayed. Here is a description of Washington's headquarters, which is still preserved at the rear of a larger modern frame house in the midst of a fine park and farm:

"I walked a half-mile up a gentle rise of ground to the main road, about which were set, close to the old Dutch Church, a few modest, one-story stone houses, with far and near the canton-

ments of the armies. At the bridge over Piermont Creek I was stopped by sentries set around a low brick building, then used as headquarters. It stood amid scattered apple trees on a slight rise of ground, and was, as I recall it, built of red and black brick." André's prison was a small house belonging to a person by the name of Maby, about three hundred yards from headquarters. This building, too, may still be seen at Tappan to-day. It was built as a tavern in 1755, and always kept as such, as it is now; it is one story high "with windows set in an irregular frame of brickwork."

The novelist gives us also a vivid picture of the execution: "Of the horrible scene at noon on the 2d of October I shall say very little. A too early death never took from earth a more amiable and accomplished soldier. I asked and had leave to stand by the door as he came out. . . . I fell in behind the sad procession to the top of the hill. No fairer scene could a man look upon for his last of earth. The green range of the Piermont hills rose to north. On all sides, near and far, was the splendor of the autumn-tinted woods, and to west the land swept downward past the headquarters to where the cliffs rose above the Hudson.

"I can see it all now—the loveliness of nature, the waiting thousands, mute and pitiful. . . . A deathful silence came upon the assembled multitude. I heard Colonel Scammel read the sentence. Then there was the rumble of the cart, a low murmur broke forth, and the sound of moving steps was heard. It was over. The great assemblage of farmers and soldiers went away strangely silent, and many in tears." Yes, it was a sad occasion, and Washington would have spared André if he could. Howe never gave the sparing of Nathan Hale a moment's thought. Yet neither at Tappan nor at Westminster should there have ever been reared a monument to André, for there was too much of dishonor in the deed he risked his life to aid. At Tappan such a monument would have been especially intoler-

able, and it is well that one or two attempts have resulted in partial failure, even though by somewhat violent methods.

By a remarkable concatenation of circumstances which could hardly have been under any other than the direction of a Providence watching over the interests of a nation, West Point had been saved to American arms. A year later the commotions of war were again busy in this vicinity, for Cornwallis had been caught in a trap and Washington was marshaling Continental forces and French contingents for the swift blow at the distant point which ended the war. To succeed in this maneuver, it was above all things necessary to deceive the enemy as to its real object. Washington was anxious to have Sir Henry Clinton believe that there was on foot an extraordinary movement to capture New York.

One of the most successful of his ruses was the sending of a dispatch through the lower portions of Orange County on the way to Congress at Philadelphia. This region was infested with "cowboys," as well as Westchester, and one band under a Captain Moody was especially active. Into their hands fell, as was intended, the document describing in detail, and without attempt at concealment by cipher, an elaborate plan concocted by the commander-in-chief and the commander of the army and navy of France in American waters. The objective point was plainly stated to be New York City. The valuable information was sent by Moody to Clinton, who promptly withdrew a large re-enforcement from Cornwallis, which might have prevented the great triumph of October 19, 1781.

The war was now over, and yet the remainder of military events transpired on New York soil. The main part of the Continental army, under the immediate command of Washington himself, returned to this State, and was distributed at various points in the Highlands of the Hudson, and also below and above them. In April, 1782, Washington made his headquarters at the house of a Mr. Hasbrouck, a farmer residing a little to the south of the then village of Newburg. These are the famous head-

quarters still preserved with such merited solicitude in the latter city.

During the winter of 1782 to 1783 the Continental army had been reduced to about eight thousand men, by reason of furloughs and resignations, these being eagerly accepted, as the Congress was hard put to it satisfying the demands of the soldiers and officers in the matter of their pay. In May, 1782, a letter was addressed to Washington at Newburg, suggesting to him that there seemed, to many officers, no way out of the difficulties, and even anarchy then threatening the country, but that he assume the authority and title of king. Washington was exceedingly pained at this foolish suggestion, and pathetically asked what act in his public career had given them the idea that he could entertain such a suggestion even for a moment. So this episode blew over harmlessly.

A more serious occurrence was the meeting summoned as the result of two anonymous letters, which recklessly urged to seek a redress of grievances by violent means. It involved the desertion of the country, as Washington put it, "in the extremest hour of her distress, or turning our arms against it." The precious Gates, staggering under the obloquy of the cabal against Washington and his disgraceful defeat at the south, but still an officer by reason of his political "pull," is supposed to have been at the bottom of these seditious councils, and the anonymous letters were entirely worthy and characteristic of him, especially when it is considered that the second one was so worded as to seek to compromise Washington. When the general was made aware of the movement on foot, he at once determined to guide the sentiments aroused into better channels.

The meeting of the officers was called on Saturday, March 15, 1783, at the "Temple," a frame structure near the headquarters (removed in September, 1783), constructed primarily for public worship, and large enough to contain a "brigade" at a time. There were also rooms for officers at one end, and a cupola and flagstaff on the roof. Washington appeared among the assem-



GOV. ROBERT MONCKTON, AFTER PORTRAIT BY WEST

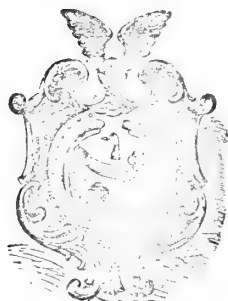
bled officers, with General Gates in the chair, appealing to their patriotism to endure what Congress could not at present remedy, to lay aside all thoughts of violence or desertion, which were practically treason; and pledged himself to do his utmost for them, assuring them that Congress was acting toward them in good faith

“Let me conjure you,” he said, “in the name of our common country, as you respect the rights of humanity, and as you regard the military and national character of America, to express your utmost horror and detestation of the man who wishes, under any specious pretenses, to overturn the liberties of our country; and who wickedly attempts to open the flood-gates of civil discord and deluge our rising empire in blood.” These words swept the small machinations of a Gates before them, restored officers and army to a true sense of their purpose, and aroused within them the fervor of a patriotism akin to that which burned in the soul of a Washington, and which had inspired the appeal to which they had listened.

Meantime the commissioners at Paris, representing the contending nations, had arranged preliminary articles of peace, the news of which was promulgated in a general order on the day before the anniversary of Lexington, 1783, lending enthusiasm to its celebration the next day. On September 3 a definitive treaty and peace were signed, which was announced to the country in October, and on November 2, 1783, was formally proclaimed to the army. The closing ceremonies of evacuation by the enemy and occupation by the American troops occurred at New York City on November 25, 1783.

The troops had marched down earlier in the month and were awaiting the signal to enter the city at noon of that day. When it came the march was begun, the fort formally taken, and the flag flung to the breeze. On December 4 Washington asked his officers to meet him at Fraunce’s Tavern, still preserved, and in the “Long Room” on the second floor he took from them a farewell so touching in its simplicity that not one of these stern

warriors but was melted to tears. Then, between files of soldiers and crowds of citizens lining the streets and wharves, Washington walked to his barge lying at the foot of Whitehall Street, or at the present South Ferry. As he stepped in and the boat moved off, deafening buzzes from the people drowned the salvos of cannon. It was the "last scene of all that closed this strange eventful history" of the Revolution, in which the State of New York had borne so prominent a part.



BEEKMAN ARMS.

CHAPTER XI.

THE STATE AND THE UNION.



Y public and formal enactment New York ceased to be a colony and became a State on the date of the battle of Lexington, April 19, 1775. But the saying so in solemn resolution, by legislative assemblies did not make it so, without the provision for very many important details of government. These were gradually attended to, carefully arranged, and firmly established by a legal instrument then still a novelty in the history of governments—a constitution, drawn up and adopted in due time. The events connected with the development of this institution make up the civil history of our State, which we have neglected while following the stirring military annals of our struggle for independence, but which went on just the same in the midst of war.

We have seen that the Provincial Assembly of New York, the bold initiator of the contest which could have no end except in independence, kept up the contest bravely till independence was quite within sight, and then was inclined to back down a little, as if frightened at the specter to which it had given a soul and body. The mantle of the initiative in patriotic work fell then upon those members of the Assembly who were willing to face the new future evoked, who constituted a Committee of Correspondence.

This committee, early in 1775, sent a call to all the counties of the Province, inviting and urging them to elect delegates to a



Rufus King

Provincial Convention, which was appointed to meet in New York City on April 20. There being no telegraph in those times, the convention met on that date, entirely oblivious of what had taken place at Lexington the day before. It remained in ignorance during its whole session of three days, adjourning on Saturday, April 22.

On Sunday, the 23d, the news of Lexington reached New York, and affairs at once assumed a new phase. The Committee of Correspondence was in existence as a sort of executive committee of these legislative bodies, and it at once sent out circulars again to the various counties. The convention just adjourned had had for its one aim the election of delegates to the Second Continental Congress, to assemble at Philadelphia in May, 1775, called for by the First Congress of September, 1774. The counties were asked to provide for a more radical step now. The delegates to be chosen were to compose a Provincial Congress to legislate and act as present emergencies should seem to dictate. With this changed aspect of the case, the counties so responded, and the first Provincial Congress of New York met on May 24, 1775.

Of this first Congress Peter Van Brugh Livingston was chosen president. In spite of the quasi-revolutionary situation which had called it into being, its main business seems to have been the drawing up of a plan for reconciliation with England, in which it exhibited a willingness to make concessions of so serious a character that the agent of the Province in England was fain to find fault with it for its "scrupulous timidity." This agent deserves a moment's attention. It had been the custom for many years for the colonies to have an agent each in or near Parliament to watch legislation or guide it in their interest. In the year 1770 the Assembly, on the nomination of Philip Schuyler, had chosen for the office of agent for New York no less a person than the famous orator Edmund Burke, "for whom his own country," says Bancroft, "had no employment." His salary was fixed at £500 yearly.

With no royal governor any longer recognized and no state regularly constituted being yet in existence, the chief authority rested with the president of the Provincial Congress. To this position was elected Nathaniel Woodhull, in August, 1775, *pro tempore*, and as permanent incumbent, at the third Congress, in July, 1776. A sad fate overtook him only a few weeks later. He was a resident of Mastic, Suffolk County, on Long Island. As a man of some military experience (we met him as major going with Bradstreet on his expedition against Fort Frontenac) he was made brigadier-general of the militia of Queens and Suffolk counties. The duty assigned him was to collect cattle and drive them away before the approach of the enemy, when they had made their landing on the island.

This done he found himself under orders from which neither the Provincial Congress nor Washington released him, to remain at Jamaica, having but one hundred militia with him. This was a critical situation after the battle of Long Island, and he was soon overtaken by the enemy. The captors, under the direction of their officer, Colonel Oliver De Lancey, a rabid Tory, were guilty of the outrage of seriously wounding General Woodhull with their swords after he had yielded his own. They followed up this crime by refusing him proper medical attendance and thrusting him into indecent places of confinement, until an English officer took pity on him, and had him removed to a farmhouse at New Utrecht. Here his wounds were finally dressed, but it was too late; gangrene had set in, and General Woodhull died on September 20, 1776, less than a month after the battle of Long Island.

The second Provincial Congress was not much better than the first in forceful and decided patriotic action. Two of the counties, Queens and Richmond, declined to send delegates altogether. It met in the autumn of 1775, and distinguished itself by objecting to the investment of the city for its defense against the British, by the army sent to New York by Washington under General Charles Lee, in February, 1776. The Continental Con-

gress, however, insisted that Lee should proceed, and he came in spite of the provincial body's remonstrance. No final break with the British officials still lingering about New York Harbor was made until Washington's arrival in April, 1776. The third Provincial Congress met in New York in May, and under its auspices steps were inaugurated for the organization of the State.

This Congress was obliged to leave the city, which had been the seat of colonial and provincial legislation since it was first instituted in 1683. The press of military events made it expedient to adjourn to White Plains, and here, on July 9, it received a copy of the Declaration of Independence promulgated at Philadelphia on July 4, 1776. It was referred to a committee, whose chairman, John Jay, drew up a resolution, which was unanimously adopted: "That the reasons assigned by the Continental Congress for declaring the United Colonies free and independent States are cogent and conclusive; and that while we lament the cruel necessity which has rendered this measure unavoidable, we approve the same, and will, at the risk of our lives and fortunes, join with the other colonies in supporting it."

General Woodhull had been elected President on July 6, and in view of the martyrdom so close upon him it was language worthy of him, and indicated a great advance upon the timid attitude hitherto maintained by the Congress. It therefore also cheerfully accepted the logical consequences of the Declaration and the indorsement of it. On August 1, 1776, Gouverneur Morris moved, and William Duer (later president of Columbia College) seconded, that a committee be appointed to prepare and



SIR CHARLES HARDY.

report a plan for the organization of a new form of government for the State. Of this John Jay was appointed chairman, and associated with him were Gouverneur Morris, Robert R. Livingston, William Duer, Abraham and Robert Yates, John Morin Scott, William Smith, the historian (who later left the country as a Tory) and others not so well known.

The committee was to report on August 16; but the turmoil of war did not permit such prompt proceedings of a civil nature. Before August was far advanced the Congress had to adjourn from White Plains to Harlem, where it met in the church. It migrated in quick succession to Kingsbridge; to Philipse Manor, at Yonkers; to Fishkill; to Poughkeepsie; and finally, in February, 1777, from the latter place to the village of Kingston, which, as the temporary capital of the State, drew down upon itself, as we saw, the vengeance of General Vaughan, in October, 1777.

The remainder of the year 1776, after the committee was appointed, was not favorable to government making. It was not till after Washington had put new life and hope into the cause of independence, at Trenton and Princeton, that John Jay seriously addressed himself to the task of drawing up the Constitution of the State. Retiring to some retreat in the country, he was busy at it through the winter months of 1777, and on March 12 it was laid before the Provincial Congress, in session at Kingston. Its various provisions were carefully discussed during several weeks, and on Sunday, April 20, 1777, it was unanimously adopted.

The house in which the Congress met while this momentous subject was before them, is still standing, religiously preserved and known as the "Senate House," on the corner of Main and Fair streets, at Kingston. It is a plain, substantial building, of blue limestone quarried in the neighborhood, two stories high, with doors and windows at unequal intervals. Before this house the residents of Kingston and as many outsiders as may have heard of the intended proceedings and could get there,

assembled on Tuesday, April 22, 1777, to hear the Constitution of their new State read to them. The occasion was well worthy the pencil of the artist, for here was begun the independent life of a great member of the Union, then as yet so feeble, which was destined in time to become its Empire State. Its preamble said: "All power whatever in the State hath reverted to the people thereof," and that there could be no authority over them except that derived from and granted by them.

As to the precise form of government prescribed, Jay had allowed himself to be guided by that which the colony or province had long enjoyed. "The fact is," says a biographer, "that the Constitution of New York was a special adaptation of the provincial government, with as few modifications as the circumstances required, and those chiefly suggested by the history of the province." The main features were a governor as chief magistrate, a legislature of two houses, and an independent judiciary; so that there was evident the sharp distinction between the three great departments of government: the executive, the legislative, and the judiciary. To avoid the evils of arbitrary selections of officers by the governor alone, which had wrought mischief in colonial times, a "Council of Appointment" was created to share that responsibility with the governor. Robert R. Livingston was appointed chancellor, and John Jay chief justice of the new State. On May 13, this memorable convention, or Provincial Congress, dissolved, to be succeeded by the first State Legislature, which was called to meet at Kingston on August 1, 1777.

An important question was, Who should be the first governor of the State? Many thought that John Jay was entitled to that honor, but when he was approached on the subject, he emphatically declined, feeling that he was better adapted to the position of chief justice. The minds of the Council of Safety, charged by the late convention with carrying the Constitution into effect, then turned instinctively to Philip Schuyler, of Albany. But the people were now in the saddle, and they had

an aversion to aristocrats, even when of such fine and noble caliber as was Schuyler. The election was held on July 9, 1777, and General George Clinton, the man of the people, big, burly, and "magnetic," was elected to the chair, which he was to hold uninterruptedly by repeated re-elections till 1795, only to be put in again in 1801, and to be raised thence to the Vice-Presidency of the United States in 1804, with Jefferson's second term.

He was a native of Little Britain, in Orange County, descended from early Scotch-Irish settlers, and was just forty years old at the time of his election. He came of good fighting stock, his father being in command of Fort Herkimer, as we saw, in 1758, when he and his brother joined Bradstreet on his way to Fort Frontenac. He studied law in William Smith's office, and when only twenty-eight became a member of the Assembly for Ulster in 1768. He was a member of the Continental Congress in 1775. He qualified as governor on July 31, 1777, but he was not asked to resign his command in the army, with which he remained in active service until December. The ceremony of inauguration was painfully simple: in the presence of the Council of Safety, acting until the Legislature should convene, he took the oath of office, "clothed in the uniform of the service, and sword in hand, standing on the top of a barrel in front of the courthouse in Kingston." If that was the same barrel which had served as a rostrum to the clerk of the convention when he read the Constitution, it is to be hoped that it escaped the incendiary fire of the British, and is still on exhibition at the old State House.

The State had now done what the Continental Congress had recommended in April, 1776, even before the Declaration of Independence had been so much as proposed. It had then resolved, "That it be recommended to the several Assemblies and Conventions of the United Colonies, where no government sufficient to the exigencies of their affairs hath been established, to adopt such a government as shall, in the opinion of the representatives

of the people, best conduce to the happiness and safety of their constituents in particular, and of America in general."

This wise counsel had been followed in New York, as we have just seen. The other States—late colonies—likewise acted upon it. And now that the war was over, it was high time for the States to turn upon the Congress with the retort, "Physician, heal thyself!" There was for the whole country "no government sufficient to the exigencies of its affairs." From the troubles developed and the long years of peril, anxiety, friction, opposition, which were needed to construct and establish such a government, we are almost tempted to ask whether it were best to have put the formation of State governments first. Was it not a little like putting the cart before the horse? It certainly had the effect of encouraging a most lively sense of the sovereignty of the States, which it was almost impossible sufficiently to suppress so as to save any kind of sovereignty for a central government.

Congress in no way secured for itself at first any adequate sovereignty or power of that sort.

During the War of the Revolution it acted under the Articles of Confederation, and these made the United States as a country or a nation about as coherent as a rope of sand. It left to each State "its sovereignty, freedom, and independence, and every power, jurisdiction, and right which is not by this Confederation expressly delegated to the United States in Congress assembled." But the "express delegation" was not sufficient to give it any effective or even respectable central authority. The Confedera-



WILLIAM PITT

tion was modeled after that of Holland, which had accomplished glorious things in earlier days, but as a permanently working scheme had often broken down badly, and was at this time carrying the Dutch Republic very rapidly to ruin and dissolution.

In America the evils of a mere loose confederation, without head or heart, did not become glaringly apparent till after the war. A common peril and the need of a united front before the enemy, had obscured to a great extent the real absence of unity in government, but it had not been completely concealed even then, as Washington and the army found to their cost time and again. But when the war was over the dismal spectacle of disunion could no longer remain undetected in all its horrors and dangers. The period from 1783, when the British left the country, to 1789, when Washington was inaugurated, is regarded by Professor Fiske as the "Critical Period in American History," beyond all comparison even with the period of the preceding war. As he remarks again, it was then that the country was actually "drifting toward anarchy."

The manifestation of this dreadful tendency lay conspicuously in the way of commercial intercourse. The States made nothing less than commercial war upon each other. Massachusetts, New Hampshire, and Rhode Island closed their ports to British shipping; and Connecticut thereupon threw hers open with enthusiasm, and then added to the offense by requiring duties paid upon imports from Massachusetts. "Pennsylvania discriminated against Delaware; and New Jersey, pillaged at once by both her greater neighbors, was compared to a cask tapped at both ends." It is sad for us to confess that our own State of New York played a conspicuous part in this small and foolish business. A flourishing trade had sprung up between Connecticut and herself, in firewood, the supply of this article for New York City, now numbering 30,000 persons, depending almost entirely upon the neighboring State. Equally important was the trade in eggs, vegetables, butter, and cheese, which New Jersey supplied to the city.

New York State was determined to stop the profits of these neighbors at the expense of her own citizens. A duty or impost was laid upon imported firewood and eggs, and, as it has been well said, every lumber sloop from Connecticut and every farmer's boat from New Jersey, was to pay entrance fees and get clearance papers, as if they were three-masters hailing from London or Amsterdam. Only retaliation could follow such a policy. Connecticut business men at New London formed a non-importation agreement against New York, startlingly like that of all America against England in 1765 or 1769. New Jersey levied a yearly tax of eighteen hundred dollars on the lighthouse owned by New York on Sandy Hook. Professor Fiske does not hesitate to aver that "but for the good work done by the federal convention, another five years would scarcely have elapsed before shots would have been fired and seeds of perpetual hatred sown on the shores that look toward Manhattan Island."

And this quarrel and mutual oppression among the States had a threatening effect upon the general government. New York not only laid a tariff upon eggs and things, but it compelled New Jersey to pay duties on everything that was imported from abroad for her own use, and that had to pass through the port of New York. So its Legislature, by a large majority, voted that it would not pay a cent of the requisition of Congress for the conduct of government, "until all the States should have accepted the measure of an impost for the benefit of the general treasury." Other States had other reasons for refusing a general revenue or hampering its collection by Congress. Pennsylvania, at first assenting, later withheld its compliance with the revenue plan "unless it should include supplementary funds."

New York imposed the duty proposed by Congress, but reserved the revenue to itself, with right of collecting it. Congress, in desperation, begged Governor Clinton to convene the Legislature in special session, so that it might retreat from this position. Clinton, who made himself popular by a narrow-

minded exclusive regard for New York's interests alone, coldly replied: "I have not power to convene the Legislature, except on extraordinary occasions, and as the present business has repeatedly been laid before them, and has so recently received their determination, it can not come within that description." And Congress was helpless before that haughty refusal. It humiliated itself by another request, but the burly governor, scorning the refinements of aristocracy, bluntly denied the solicitations of the Supreme Council of the Nation. It was a pitiful exhibition, and affected to a most serious degree the attitude of Congress and the Nation toward foreign countries. The situation was simply intolerable, and a remedy must come or ruin would follow apace.

What was to be done? At first a convention of delegates from the several States was called to meet at Annapolis, Md., in September, 1786. It was to deal only with the subject of commercial intercourse between the States, but it failed even of this purpose, for only five States were represented, Virginia, Delaware, Pennsylvania, New Jersey, and New York. Thus the very State where it met was not represented. Yet it was not a fruitless meeting by any means, for out of it grew the great convention that gave us the Federal Constitution. Two things contributed to this. New Jersey, in appointing its delegates, gave a hint of possibilities beyond "commercial regulations," by emphasizing "and other important matters," which "might be necessary to the common interest and permanent harmony of the several States."

The other instrumentality employed by an overruling Providence to secure the greater results so much needed, was a person in whom New York State may take a just pride. At a meeting in the "Fields," or Commons, in New York City in 1774, to discuss or ratify the appointment of the State's five delegates to the first Continental Congress, a speech was made by a mere stripling of seventeen, a student at King's (or Columbia) College, which had electrified the audience with its eloquence as

well as solid reasoning and common sense. This was the first public appearance of Alexander Hamilton, a native of the West Indies, but then and ever after an ardent supporter of the cause of independence, and a devoted citizen of New York State.

At the outbreak of the war he had organized an artillery company, had served Washington as an aid, had risen to the rank of colonel, and was the leader of the American regiment which took one of the redoubts at Yorktown, while a French detachment took the other—the success of which maneuver settled the fate of Cornwallis. After the war he had studied law, fitting himself for the bar with extraordinary rapidity, and displaying unusual ability in this new profession, and he was to attain immortal distinction also in the ranks of statesmanship. As one has truly said: “His rare powers entitle him to the fame of being the first intellectual product of America.” It is interesting to note that



BURNS'S COFFEE HOUSE.

he was the more closely identified with the interests of the State of New York as having been linked in marriage to one of the oldest and best of its families, Elizabeth, the daughter of General Philip Schuyler, having been won by the handsome face and extraordinary talents of the almost friendless and certainly homeless young man.

At the bar Hamilton had already won the reputation of a “model of eloquence and the most fascinating of orators,” as Story puts it. He was sent by New York to represent it at Annapolis. When any other business seemed useless, Hamilton occupied the time to carry out in a paper the hint thrown out by New Jersey as to “other matters.” This was an address directed to all the States, and urging that commissioners be appointed

to meet in Philadelphia on the second Monday in May, 1787. These were to "devise such further provisions as shall appear to them necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union, and to report to Congress such an act as, when agreed to by them, and confirmed by the Legislatures of every State, would effectually provide for the same."

This convention accordingly met in Philadelphia, May 14, and on September 17, 1787, it had completed the work which is still the wonder of the world. New York was represented only by Hamilton during the greater part of the session of the convention. The Legislature consented to send delegates, but it reduced the proposed number of five to three: Alexander Hamilton, Robert Yates, and John Lansing. Governor Clinton looked with no favor upon the undertaking, declaring that no good was to be expected from it; that the confederation was good enough. Yates, in the Senate, had tried to pass a resolution, only defeated by the casting vote of the president, looking to the essential preservation of the articles of confederation.

When it was seen by him and Lansing that a change very radical was being made, they vacated their seats in the convention and came no more. This was on July 10, 1787. It was nothing to boast of for New York. We must submit to Bancroft's just reflection on this act of her representatives: "The State which had borne itself with unselfish magnanimity through the War of the Revolution had fallen under the sway of factional selfishness. Yielding to this influence, Yates and Lansing, renouncing the path to glory, deserted their post, leaving to the South the power to mould the commercial policy of the Union at its will."

Another unfortunate result was that the withdrawal of his colleagues left Hamilton without a vote, so that he took very little active part subsequently in shaping the Constitution. In only one particular does New York enjoy the credit of having contributed materially toward the general result of the Con-

stitution. To make it effective it was of importance that the principle of a central or general sovereignty, attached to a body of government over all the States, should be recognized. Even in the Dutch Republic there was a public domain for the States-General, owing no allegiance to any of the confederated provinces, because conquered and held for all, called the "Generality."

Such public domain was desired for Congress, and when the appeal was made to the various States to yield their claims to lands in the far West, New York was the first to yield. By virtue of the suzerainty or protection exercised for generations over the League of the Six Nations, New York claimed all of the territory subject to these tribes as far West as the Miami River. Three years before the preliminary treaty of peace, or as early as 1780, New York relinquished this territory for the purpose of establishing a public domain for the republic. In this she set "a praiseworthy example," followed by Virginia and other States with Western claims. The creation of the domain was one of the "germs of national sovereignty," which made more easy the transition to other "germs," till the full blossom came forth in the Federal Government aimed at and provided for by the Constitution just framed at Philadelphia.

The Constitution duly adopted by the convention itself on September 17, 1787, remained to be ratified by the several States. By its own provision nine adopting States were necessary to put the Government into operation. New Hampshire became the ninth ratifying State on June 21, 1788, with Virginia the tenth on June 25, and the Federal Government was an established fact, even without the consent of New York. The openly avowed attitude of her popular hero and governor, and the conduct of her delegates to the Constitutional Convention boded ill for the ratification and the cause of Federal Government in our State.

But if the way promised to be difficult, this stimulated to the utmost exertion the powers of that most brilliant friend of the Constitution, Alexander Hamilton. On October 27, 1787, there

appeared in the *Independent Journal*, published at New York, the first of the remarkable series of papers, now world-famous, under the name of "The Federalist." They came out about three or four times a week, on the average, for several months, until eighty-five had been published. They were written under pseudonyms, as was then the custom, and the authorship was divided among Alexander Hamilton, John Jay, and James Madison. Hamilton wrote sixty-three of these numbers, and three jointly with Madison; Madison was the sole author of fourteen; and Jay, who was not at the Convention, wrote five. Thus the preponderating merit of their authorship belongs to Hamilton.

The papers discussed in a masterly manner, with clear, cogent reasonings and convincing illustrations from history, the various provisions of the Constitution in their minutest details. No one reading them could plead ignorance of its parts, or of its reach and significance as a mode of government. It was a splendid, honest, enlightening antidote to the floods of ignorant prejudice wherewith Clinton and his party sought to spoil the fair creation of Federal Union in the minds of the masses. In opposition to the "Federalist" they sought out many of the devices of the lower order of politicians, but in the final result they were beaten. The field for the supreme battle between the Union and anti-Union parties, was the convention called, for the purpose of ratifying the Constitution, at Poughkeepsie. When the Legislature met in January, 1788, Governor Clinton sent in the proceedings of the Federal Convention without a word of comment or recommendation. Not one of the members made a motion in reference to the all-important subject until January 31, when Egbert Benson moved the ordering of a State convention to ratify the Federal Constitution. A preamble condemning the proceedings of the convention was defeated by a vote of twenty-seven against twenty-five. A motion in the Senate to postpone was defeated by the still narrower margin of one vote, or nine against ten. Thus did the matter tremble, as it were, in the balance; but the convention was ordered. Yet as a blow that

was supposed to be surely fatal it was directed that the usual restrictions upon voting should be disregarded. Every male white citizen twenty-one years of age might vote for members of the convention, even though he were a resident of the State of but one day. This would bid hordes of irresponsible men vote for representatives favoring the anti-Federalist views of Clinton and his party.

The convention was appointed for June 17, 1788, and met in the courthouse of Dutchess County at Poughkeepsie. It was the second building used for that purpose, the first, erected in 1743, having been burned three years before. The cost of its successor was twelve thousand dollars, and a very respectable structure could be put up in that day for this sum. Poughkeepsie had been erected into a township only a few months before.

Sixty-five delegates were elected, representing twelve counties, Columbia, organized in 1786, not sending any, and Clinton combining with Washington, from which it had been separated this same year, 1788. Alexander Hamilton, John Jay, Robert R. Livingston, Isaac Roosevelt, James Duane, and four others appeared for the city and county of New York. Governor Clinton represented Ulster County, with other colleagues, and Robert Yates and John Lansing, the deserters from the Federal Convention, stood for the city and county of Albany. Sixty-one of the sixty-five members elected appeared and qualified, and on the day of meeting, June 17, 1788, Governor Clinton was chosen president. On the 19th the discussions began.

It was soon found that more than two-thirds of the members had come prepared to vote against ratification. The battle for the Union promised to be a hard one, and Hamilton, seconded by Jay, was stimulated to exert his utmost powers. There was easily distinguishable a sort of geographical division of sentiment. The head and center of antagonism to the Constitution was Ulster County, Governor Clinton's own, and the feeling was shared by the counties north of it also. The southern counties, along the Hudson, on Long Island and Staten Island, and

New York City, were known to be so strongly in favor of Union that a split in the State was by no means felt to be improbable; and this, more than anything else, modified the violence of Governor Clinton's opposition.

For three weeks after June 19 the battle raged about the proposition and adoption of certain amendments to the Constitution. Then on July 11, John Jay determined to bring the prolonged discussion to a head by moving that the Constitution be ratified by New York, and that amendments be recommended. But no vote could be forced on this decisive resolution. Some days later Melancthon Smith, of Du(t)chess, offered as a substitute a motion which plainly expressed the claim of New York to the right of withdrawing from the Union, in case the amendments were not accepted. This brought forth all the powers of eloquence and argument possessed by Hamilton, in a speech on Saturday, July 19, which actually won over his opponent to his own views, and induced him to relinquish his unpatriotic motion.

Then Lansing, inveterate foe that he was of Union, unmoved by Hamilton's arguments, re-moved Smith's proposition. Before Monday Hamilton had secured an opinion from Madison on this reserved right to withdraw, and read it to the convention. He wrote, and his words deserve careful perusal: "My opinion is that a reservation of a right to withdraw, if amendments be not decided on under the form of the Constitution within a certain time, is a *conditional* ratification; that it does not make New York a member of the new Union, and consequently that she could not be received on that plan. The Constitution requires an adoption *in toto* and *forever*. It has been so adopted by the other States. An adoption for a limited time would be as defective as an adoption of some of the articles only. In short, any *condition* whatever, must vitiate the ratification. The idea of reserving a right to withdraw was started at Richmond, and considered as a conditional ratification, which was itself abandoned as worse than a rejection."

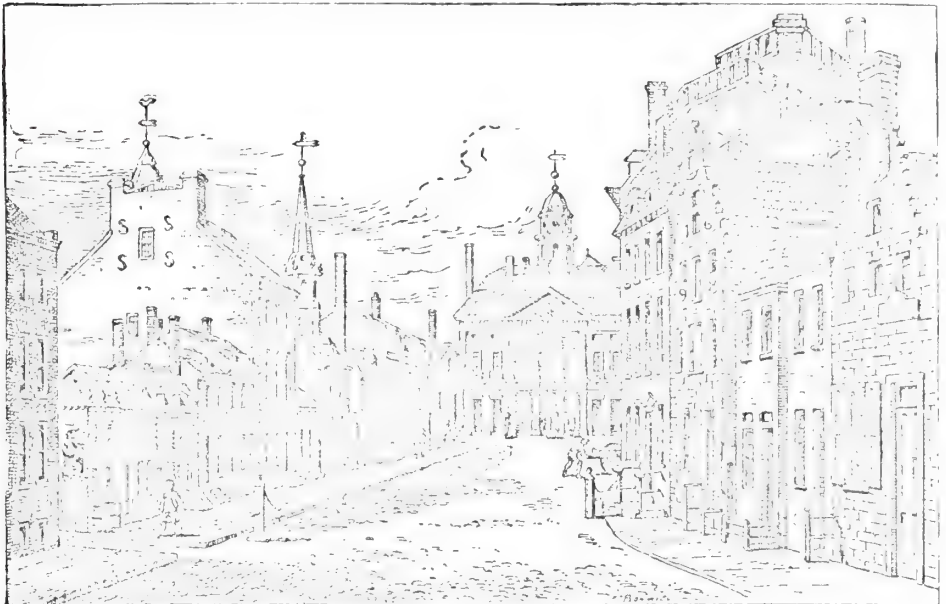
Such plain language from an outsider, and from one speaking

for Virginia, had much influence upon the anti-Federalist New Yorkers. Two days later, one of their number, Samuel Jones, of Queens County, seconded by Melancthon Smith, moved to ratify without condition, in full confidence, as he said, that all proper amendments would be adopted. This motion was voted on Saturday, July 26, in open convention, and passed by the narrow vote of thirty ayes and twenty-seven nays, four members not voting or being absent. But there was a rider attached which called for the preparation of a circular letter addressed to the Legislatures of the several States, and urging a general convention to act upon the amendments adopted by them, and modify the Constitution. Madison and Washington both deplored this suggestion. Nevertheless New York had ratified the Constitution, and thus on July 26, 1788, became a member of the Federal Republic of the United States. Even Clinton said of it, now it had been adopted by his State: "We are unanimous in thinking this measure very conducive to national harmony and good government."

Three days before this crucial event in the history of the State, the people of the city of New York had already celebrated with great enthusiasm and in splendid fashion, the establishment of the Federal Government by the adoption of it by the required number of States. On the morning of July 23 a procession, including no less than five thousand persons, started from the "Commons," now the City Hall Park. Upon floats drawn by horses, various trades exhibited their peculiar operations, and the seventh float represented the sailors. They had constructed a miniature frigate, completely rigged and armed with thirteen guns, whose salute had been the signal for the start. This frigate was named "Hamilton."

It was a proper and significant tribute to the efforts of their fellow-citizen in behalf of the event they were celebrating this day. At Annapolis his voice had rallied the discomfited rump of a convention, and made them the initiators of the one that framed the great instrument. His eloquence and genius had

helped to shape it; and when completed it was his pen and voice that waged the mighty battle against disintegrating prejudice. And on this very day he was winning a splendid fight against fearful odds in the convention at Poughkeepsie. As the Frenchman Guizot said of him: "There is not in the Constitution of the United States an element of order, of force, or of duration, which he has not powerfully contributed to introduce and caused to predominate." Well, then, might the sailors name their ship



VIEW OF BROAD STREET AND CITY HALL, NEW YORK, AT CLOSE OF THE COLONIAL PERIOD.

the "Hamilton," and well might it be the most conspicuous feature of the federal procession.

Going past the fort, drawn upon its wagon by ten horses, thirteen guns were again fired in honor of the Congress of the United States, standing upon the lofty battlements. After a march through the principal streets the procession wound up at a semi-circular tent covering ten tables radiating from a dais at one end, on which the Congress were placed at a table. The five thousand persons all sat down to a bountiful repast, en-

livened by thirteen toasts drank at the end. If New York State had not entered the Union three days later, there can be little doubt that New York City could not have been kept from doing so.

The only southern county whose delegates were not a unit for the Constitution at Poughkeepsie, was that of Queens. It becomes of interest therefore to observe the enthusiasm wherewith its adoption was celebrated in the town of Flushing, within its borders. The date set for the celebration was August 8, 1788, or one day less than two weeks after the final ratification by the State, making the eleventh member of the Union, and hence that number became the governing one in the arrangements, as ten had been in New York City on July 23 previous.

The dawn of day was ushered in by a salute of guns, or more correctly speaking of a gun, for the town possessed only one, which was banged and charged so frequently at a visit of Washington a year later that that eminent person expected to see it explode any minute. It did its work without such disastrous consequences now as well as later. The village green was in about the center of the old village, occupying a level space of ground just before the rise which carries away the roads to Whitestone and more southern parts.

Upon this level, grassy plain a colonnade had been constructed, the pillars beautifully hid in fir and yew, and festooned with arches of green boughs between, doing credit to the industry of nurseries, for which Flushing is famous. These pillars bore the standards of the eleven States now in the Union. At the east end of the colonnade there was a canopy of red canvas adorned with white linen curtains at the side, looped up gracefully with ribbons of blue. The canopy bore the inscription: "Federal Constitution, September, 1787"; and under it stood the chair to be occupied by the presiding officer of the day, upon a raised platform duly carpeted.

At three o'clock in the afternoon there was another salute from the gun, and this was the signal for the banquet to commence.

The honor of presiding had been conferred upon Colonel William S. Smith, who had gained some distinction on the island as a commander of its militia, and who was also a resident of it. But his chief distinction for a later age depended perhaps more on the fact that he had married the daughter of John Adams, soon to be Vice-President of the new United States. Eleven toasts were offered, the eighth being doubtless suggested by the war of pamphlets which had been provoked by the irresistible logic and argument of "The Federalist" papers, the answers to these making up in virulence and personal abuse what they lacked in reasoning. The toast expressed the prayer: "May the liberty of the press be preserved, and its licentiousness punished." The oration of the day was pronounced by a student of Columbia College; but he did not attain the career of that other student who startled an audience in 1774, and had now become the chief advocate of the Constitution.

So much for the indications of how people felt about the new experiment in government in the lower part of the State, where the sentiment was known to be prevalently in its favor. But how was it with the upper counties? We are fortunate in having an account of a celebration similar to those in New York City and on Long Island, which took place in the city of Albany, the seat of the county whence hailed those determined foes of Federal government, Robert Yates and John Lansing. The day selected for the event was the same as that at Flushing, August 8, 1788.

The Constitution, engrossed on parchment, was carried aloft on a standard carried by a no less illustrious hand than that of General Schuyler himself; while a descendant of another old Albany settler, and one of its first aldermen, Colonel John A. Wendell (an ancestor of Dr. Oliver Wendell Holmes), carried the standard of the United States. As in New York, the trades were represented on floats, and they were appropriately led by the farmers. After these came the representatives of the various business corporations; and even the official boards of churches



DANIEL D. TOMPKINS

Daniel D. Tompkins

took part in the procession in honor of this secular occasion. There had been constructed on the hill leading toward the old fort what was called the "Federal Bower." It was an open structure forty-four feet wide by one hundred and fifty-four feet long, consisting of four rows of pillars fifteen feet high. Branches of trees had been laid over the top and strings of evergreens wreathed the pillars. In front stood eleven arches, also sheathed in green, with the name of a State on each. A banquet was served to the company distributed along eleven tables, and the toasts also conformed to that potent number. But on the return home forceful and unpleasant evidence was furnished that these Federalists were celebrating in an uncongenial atmosphere, for the procession was assaulted by the followers of Yates and Lansing, and some broken heads and bruised limbs resulted.

Thus had the State been organized, and the Union been placed on firm ground, the result of independence so painfully won. This firm, compacted organism of State and of United States, was the sure portent of prosperity and greatness for both.



PHILIPSE ARMS.



GEORGE WASHINGTON

FROM THE ORIGINAL CABINET-SIZE PORTRAIT BY PEALE, PRESENTED BY JOHN QUINCY ADAMS TO CARLO GIUSEPPE GUGLIELMO BOTTA, AUTHOR OF "HISTORY OF THE WAR OF AMERICAN INDEPENDENCE." PURCHASED FROM THE BOTTA FAMILY, WITH FULL CREDENTIALS OF AUTHENTICITY, BY FREDERIC DE PEYSTER, LL.D., A FORMER PRESIDENT OF THE NEW YORK HISTORICAL SOCIETY, AND PRESENTED BY HIS SON, BRIG.-MAJ. GEN. J. WATTS DE PEYSTER, NEW YORK, TO THE UNITED STATES WAR DEPARTMENT LIBRARY, AT WASHINGTON, D. C.

CHAPTER XII.

A CHANGE OF CAPITALS.



AMES BRYCE remarks that "the United States are the only great country in the world which has no capital." And then he goes on to describe what he means by a capital, and thereby to prove that this country has one: "By a capital I mean a city which is not only the seat of political government, but is also by the size, wealth, and character of its population the head and center of the country, a leading seat of commerce and industry, a reservoir of financial resources, the favored residence of the great and powerful, the spot in which the chiefs of the learned professions are to be found, where the most potent and widely read journals are published, whither men of literary and scientific capacity are drawn."

Except in the single count of the location of the political government, New York may appropriate to herself all these particulars, which, in their *tout ensemble*, immensely preponderate over that merely accidental circumstance. But there was a time before these more preponderating features belonged to her, when New York was not virtually, but actually, the capital of the United States, in having in it the seat of its government. It had been the meeting place of the hapless Congress for some years, finally reaching this haven of rest after several peregrinations, some of which were necessitated in order to escape from its own army, which it could not pay, because the States badgered it about a revenue. And when these sad days were over and a

respectable and self-respecting federal government emerged from the discredited confederation, New York City was chosen to be the capital of the new nation, and witnessed the beginning of the great experiment.

On January 7, 1789, took place the first election for President of the United States by the College of Electors in a *bona fide* and not a mere perfunctory manner as now. The narrow margin of three votes securing the adoption of the Constitution by the State, had the ominous effect of enabling the anti-federalists to prevent the choosing of Presidential Electors, so that New York State had no part in the election of Washington. Yet this was due entirely to "up the State" influences, which have often made or marred matters for New York City; and there was no danger that Washington should not be warmly welcomed, nor his inauguration be fervently approved of by the people of the capital.

On April 23, 1789, Washington arrived in the city, landing from his barge at the foot of Wall Street. He was received with wild acclamations of joy, and the town was beautifully illuminated at night. Whatever may have been his private convictions as to the new government, Governor Clinton's personal affection for his old commander could not have been less than that of other generals who served under him, and as governor of the State he did not fail in courtesy and attention. Clinton met him as he left the barge, at the head of the carpeted stairs, and he escorted him to the Presidential residence on Franklin Square. In the evening Washington rode down to the governor's house, having been invited to dine there. This mansion was the one erected in colonial times by Abraham De Peyster, and stood in Queen (now Pearl) Street, opposite Cedar Street.

There was a still greater stir in the capital the next week, on Inauguration Day, April 30, 1789. Washington was conducted by stately procession of the military, and an imposing array of civil dignitaries, from the house on Franklin Square to Federal Hall. The City Hall, on Wall Street, had been transformed, at a cost of \$65,000, into this more splendid national building,

where another transformation placed a custom-house in later days, which is now the United States Sub-treasury. Here, on a pillared porch, looking far down Broad Street, and visible from the right and left on Wall Street from Broadway to the river, George Washington took the oath of office as the first President of the United States. The streets, the windows, the roofs of houses, were black with people who felt so awed by the impressive ceremony, that at first there was the silence of death, which broke into a thunderous shout as Robert R. Livingston, chancellor of the State, who administered the oath, called upon the assembled multitude to cry: "Long live George Washington!" Then salvos burst from the guns at the Battery, and Washington walked to St. Paul's to attend the religious service conducted there, while all the other churches were open for the same purpose.

When the hours of festivity were over, the President and Congress settled down to the business of government. The Senate and House of Representatives each had their chambers in Federal Hall; and whenever he had a message for the Congress, Washington would take it there himself, riding in his canary-colored coach with six horses, outriders, and two secretaries on horse-back on either side of the coach. At the head of the judiciary department of the new government, as chief justice of the Supreme Court, was placed that admirable citizen of New York, John Jay, the chief justice of his own State before this.

In the cabinet, consisting then of only four officers, the secretaries of state, of war, of the treasury, and attorney-general, the most important place by far was the secretaryship of the treasury. Another citizen of New York was appointed by Washington to this, a man whose abilities he thoroughly understood. Alexander Hamilton. It is impossible to estimate what the country owes to this one man. He awoke government to a consciousness of powers which it had not suspected, and in the exercise of which it has gone on to prosperity ever since. The financial situation was the rock upon which the confederation

had gone to wreck. It was the one thing that needed straightening out, if the Federal Union was to live: and Hamilton performed the herculean task. Banking, the mint, excise, manufactures, all felt the power of that creative genius.

In his first report to Congress "all the confusions disappeared, and in terse sentences an entire scheme for funding the debt, disposing of the worthless currency, and raising the necessary revenue, came out clear and distinct, so that all men could comprehend it." Webster's well-known eulogy of Hamilton was richly deserved: "He smote the rock of national resources, and abundant streams gushed forth." It was also in accord with poetic justice that the State which furnished such a contribution to the personnel of the national government, should, out of that abundance of resources and wealth, have acquired a leading position among the States of the Union.

The glory of being the seat of a government, begun so auspiciously under the guiding genius of one of her own sons, soon passed away from New York City. In August, 1790, Washington left his roomy mansion (which he had occupied since March) on Broadway, and with Congress took up his abode for the rest of his presidential career in Philadelphia. But then there still remained its ancient glory of being the capital of its own State. Doubtless the governor had been somewhat eclipsed by the presence of the greater luminary of the President. Now the oft re-elected occupant of the chair shone forth again as the chief star. He had (in 1790) ruled thirteen consecutive years. Professor Fiske says of him that "he had come to look upon the State almost as if it were his own private manor, and his life was devoted to further-



LORD DUNMORE.

ing its interests, as he understood them. It was his first article of faith that New York must be the greatest State in the Union."

This was not so bad a creed to entertain, and in this case seeing has come to be with all of us believing. But Clinton's statesmanship was not of the highest order, and not all his methods to realize his faith and make it substance and evidence were of the wisest or broadest. He deserves credit, however, for an earnest zeal in the cause of education. In 1784 the Board of Regents of the University of New York was created, its primary purpose to foster the enterprise represented by King's College, the name of which was now changed to Columbia. Its scope was soon extended so as to embrace all academies and colleges that might be established in the State, and a gift of public lands was made by the Legislature in 1789 to facilitate its operations.

On January 6, 1795, Governor Clinton urged upon the Legislature that what had thus far been done in the interests of education had reference mainly to its higher or professional departments, and that something was needed for the fostering of common schools. The Legislature responded by passing an act appropriating annually for five years \$50,000, specifying the sums to be paid to each county. The supervisors of the several counties were to apportion this money among their respective towns. "A sum equal to one-half the sum received from the State by the several towns was required to be raised by a tax in such towns, and added to the bounty of the State."

This commendable achievement of Governor Clinton was on the eve of an interruption of his official career. In 1792 John Jay had been nominated as governor, and his name was pitted against the popular Clinton in the election that followed. It was made a bitter party fight on the lines of Federalist and anti-Federalist, as well as between the aristocrats and the "democrats," the latter drunk with the fierce and sanguinary platitudes of the French Revolution. Jay took no part in the campaign, yet when the election had taken place it appeared that common-

sense had triumphed over demagogism, and that a majority of the plain people had at last deserted Clinton, "the horny-handed son of toil," for Jay, reared in the lap of luxury and the *habitué* of courts.

The returning board of that day was a committee of the Legislature appointed by both Houses, and the majority of its members were Clintonians. They seized upon the returns of three counties which had given unquestionable majorities for Jay, and declared that these were defective and could not be counted. The law required that the votes of each town should be sent in a sealed box by the sheriff of the county to the Secretary of State. With great glee the board discovered three alarming infractions of the law. The votes of Otsego County had been sent by an ex-sheriff, whose term had expired, but was holding over until the new sheriff should qualify. The sheriff of Tioga County had given the precious box to a deputy; but the latter was taken sick, and the box was taken to its destination by his clerk. The Clinton County votes were given by its sheriff to a person who carried the box safely to its proper quarter, but who could show no written order for performing the duty.

The circumstances in neither case were sufficient to invalidate the ballots cast, as the law was observed in spirit, and the sheriffs in each instance were responsible for the transfer, and made it in good faith. But there was enough ground for a regular scientific "counting-out" of Jay worthy of a later date, and Clinton went in once more, rejoicing as best he could over a doctored majority of one hundred and eight votes. The people of Otsego County, who alone had given a majority for Jay greater than this of Clinton's throughout the State, threatened to march to New York, and there were murmurs of "an appeal to arms" elsewhere. But Jay's conciliatory spirit quieted down the agitation.

On his return from circuit duty in Vermont, he passed from Lansingburgh to New York through a continual ovation. Public dinners, addresses, and salvos of artillery were given him at

Albany and Hudson, and a body of citizens met him eight miles above New York to escort him in triumph to the capital. In 1795 ample reparation was made; all technical errors were carefully avoided. Clinton declined to run, shrewdly anticipating a storm, and Jay beat Robert Yates by a majority of sixteen hundred. He was inaugurated governor on July 1, 1795. This office, to which he was re-elected in 1798 and held till 1801, was a fitting close to John Jay's eminently useful and stainlessly honorable public life. He lived in retirement after his second term from 1801 to 1829, dying full of days and honors at his country seat at Bedford, in Westchester County.

Two events of importance marked Jay's occupancy of the governor's chair. He was known in France as an *ami des noirs*, "a friend of the blacks"—that is, in favor of the abolition of slavery, a subject which did not escape agitation by the theorists of the first French Republic. At the session of the Legislature in January, 1796, a bill was brought forward by a member who stood in near relations to the governor, which called for abolition. It received a tie vote in committee of the whole, and the chairman's casting vote killed it. At the session of 1799, during Jay's second term, another bill was introduced, and passed in April, providing that all negro children born after July 4 of that year should be free when the males should reach the age of twenty-eight and the females that of twenty-five; and the exportation of slaves from the State was forbidden. In 1827 the final stroke was given, finishing slavery in New York, and it was not till two years later that Governor Jay died.

The other event occurring during his rule was the removal of the capital of New York to Albany. In anticipation of the President's permanent residence in New York, the municipal authorities had cleared away the old fort and built on the site a handsome and imposing "Government House." It was not completed in 1790 when Washington left. This mansion was then occupied by Governors Clinton and Jay, although each had a house in the city.

But now a second disappointment fell upon the corporation. The governor, too, moved away from the city; for, as it had failed to continue as a national capital in 1790, so it failed to continue as the State capital in 1798, after enjoying that distinction since 1626. Before the meeting of the first Legislature called for August 1, 1777, Jay had hinted that Albany would be a good place for it. But the hint was not well received. "Some object," he wrote to Schuyler, "to the expense of living there, as most intolerable, and others say that should Albany succeed in having



EXPLOIT OF MARINUS WILLETT.

both the great officers, the next step will be to make it the capital of the State." That great dread, it is evident, was gradually overcome. Events beyond human control, or as the result of human progress under the favorable conditions realized in the State, compelled some such turn in affairs.

The center of population had been steadily shifting toward the upper regions of the State, and more and more steadily the conviction grew that Albany must be the place for the capital. In 1789 it was felt to be inevitably coming in that city itself. A writer in the *Albany Gazette*, on a certain date of this year, after

speaking of the advance of the city between the years 1780 and 1789, observed: "And I flatter myself I am not too sanguine when I indulge the idea that I shall live to see the day when this city, adorned with every necessary public building and other improvements, will become the fixed seat of government and of the Legislature." On November 1, 1797, this body met in New York for the last time. It adjourned on November 11 to meet at Albany on January 2, 1798, and the fear of 1777, as well as the dream of 1789, were realized. Albany thenceforth became the capital of the State of New York.

This change in capitals was a significant episode in the history of the State. It told loudly of what had been going on within it, of what development had been attained during the century now closing. And here is an excellent place to call a halt in our narrative, as we review the progress of that development in various parts of the State. About the close of the century New York City had a population of sixty thousand, which was five times the amount of people that were left in it at the evacuation in 1783. It was fast catching up with Philadelphia, then still the largest city in the Union. It was adorned by many notable buildings, first among them the Government House, now utilized as a Custom House; also the Society Library had a handsome home, and the Columbia College buildings stood forth a fine pile, visible far off in Jersey, and from the bay and North River. There were also many decent-looking churches, although none of any pretensions had been built since the Revolution.

In Wall Street there were already two banks, the New York and the Manhattan, still to be seen there, although somewhat changed in form and location. New York's advantages as a seaport had already carried it to the head of the line of cities as the queen of American commerce. In 1791 New York ranked fourth in tonnage of shipping entering and clearing her harbor. On December 31, 1799, the city stood first with a tonnage of 106,537; Philadelphia coming next with 84,486. On October 1, 1799, the exports of the United States were stated to

be \$78,665,522; the item for Pennsylvania was \$12,431,967; for Maryland, \$16,299,609; while New York ranked first with \$18,719,527.

Around New York growth and prosperity were also apparent. The question whether Staten Island were a part of the State or not was still in debate when the one century passed into the other. In October, 1794, the people of Richmond reared their first courthouse, and its population in 1800 was over four thousand. Long Island had been nearly robbed of its woods during the British occupation, and had otherwise sadly suffered. But now it had resumed again something of its old appearance as the "pearl of New Netherland." The great city of over a million inhabitants, which lately became a borough of New York, was as yet only a township, but the portion about the ferry was soon to be incorporated as the village of Brooklyn. Here, in June, 1799, was published its first newspaper, a weekly, and at its wharves "Indiamen" had begun to land and unload and load.

The towns that made up with it the later city, were still in a bucolic state. There is on record a trip of Washington, made in April, 1790. He traveled in his coach from Tuesday to Saturday, visiting Brooklyn, New Utrecht, Gravesend, Flatlands, Flatbush, thence passing into Queens County. Through the various towns of Queens he went to Suffolk, and turning north, after visiting Coram and Setauket, he turned westward at Smithtown, and so home again through Flushing and Newtown, of Queens. He found "the country in a high state of cultivation."

Westchester County was mainly replete with great manors like the Van Cortlandt and Philipse. The Revolution has made us acquainted with Tarrytown and Tappan on opposite sides of the river, with Haverstraw, and Stony Point, and West Point. The latter did not acquire its present character until 1802. Newburg was as yet in a primitive state. It had but one street, along which were scattered a few old, brown houses. Fishkill-on-Hudson, first occupied in 1688, with the (present) Fishkill Village and Matteawan back of it, presented only farms. Pough-

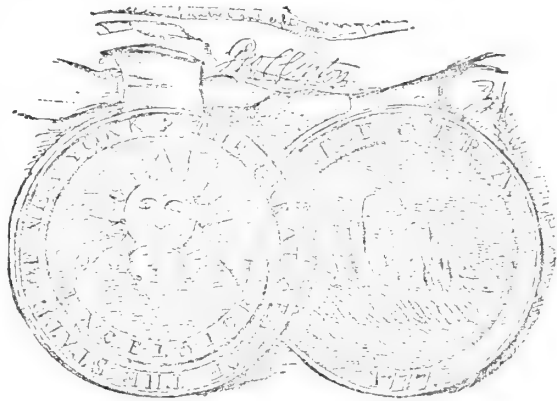
keepsie, with a gun-foundry during the Revolution, was organized into a village on March 27, 1799.

Kingston has been mentioned in connection with the framing of the State Constitution. It had long ago recovered from the Briton's wanton incendiarism. And as, we near Albany, we find the only other city in the State, besides the old capital and the new. This was the city of Hudson. Thirty persons from Rhode Island brought their families here in 1784. Between that year and 1786 one hundred and fifty houses were built; there were wharves and shops, and a population of one thousand five hundred, and in 1785 it received incorporation as a city. Ten years later it had a newspaper, the *Hudson Gazette*. Hudson, though so far up the river, was a seaport. Twenty-five vessels were engaged in the West India trade, and the whaling and sealing fisheries were also industriously pursued.

North of Albany the dense woods and bold hills that had made progress so difficult for the passage of armies to and from Canada, had yielded to the peaceful invasion of the husbandman. About the year 1798 there was a population in the northern counties of from fifty to sixty thousand. Around the forts and fortresses that figure in the annals of the various wars of the eighteenth century clusters of homes had gathered, so that Fort Edward and Fort Anne still occupy their places on our map. Saratoga was concentrating its denizens into hamlets; Ballston was already begun in 1769, and so was Whitehall, at the southern extremity of Champlain. Yet nothing better illustrates the primitive condition of the settlements in these regions than an account of the present city of Troy, as it was in 1789. There had been a grant of land here to a Mr. Van der Heyden, of Albany, in 1720, and the hamlet that grew up at this point was called "Van der Heyden's Ferry" for many years. In 1789 there were twelve dwelling-houses, and five small stores at Troy, and it then first received this classic appellation. When Rensselaer County was cut off from Albany in 1791, Troy was made its county seat.

which must have been a concession to its superior advantages, although Lansingburgh was then a close rival.

Proceeding toward the west along the Mohawk River we come, of course, upon the ancient and prosperous village of Schenectady. Its great event, significant, too, of advancements made in material conditions, was the erection of Union College. King's College (Columbia since 1784) was too far away, and getting too inadequate also as a single institution for the growing population of the State. So on August 26, 1779, with war raging nearby, and sure to provoke more of it as conducted against the Indians that summer, a petition was addressed to the Legislature at Kingston, by John Cuyler and eight hundred and forty-two other persons of Albany and Tryon (Montgomery) Counties, and Thomas Clark and one hundred and thirty-one others of Charlotte (Washington) County. These, nearly a thousand citizens, asked that a corporate body of gentlemen be appointed to erect an academy or college at Schenectady.



SEAL OF NEW YORK STATE, 1777.

On October 20 the committee to whom this petition was referred reported in favor of it, but the war was too severe a drain on the pocket and too serious a disturber of peaceful pursuits to permit anything effective being done. Twelve years longer the subject was left in abeyance, then on December 30, 1791, a second petition was laid before the Legislature, stating, as an inducement to act, that the Oneidas had given land near Schenectady for the use of such an institution. On February 1, 1792, an adverse reply was received from the Legislature. Perhaps a sinister rivalry between towns killed the measure, for on Jan-

uary 4, 1792, we find the citizens of Albany starting a subscription with the object of getting the college established there. Another year elapsed, and then on January 29, 1795, the Regents of the University granted a charter for a college at Schenectady. The trustees were created a corporate body on February 8, 1795.

This looked surely like civilization on the Mohawk, and many a flourishing village or township along that river above Schenectady promised patronage for the college nearby, as the hardships of pioneer life received some relief, and the amenities of social intercourse required the cultivation of the professions. We notice, as of old, such places as Caughnawaga (Fonda), with prosperous Johnstown back of it. Fort Hunter was now a name for a peaceful hive of industry, as were Fort Plain and Fort Herkimer, with Canajoharie below them, and Palatine Bridge and Stone Arabia north of the river.

German Flats was no longer the westernmost outpost of civilized settlement. As we shall see shortly, there was made at Whitestown, four miles west of Utica, a beginning of invasion into the great wilderness stretching far to the west by the advance corps of New England immigration. From this far-distant hamlet or village regular stage service was maintained with Canajoharie as early as 1795. The stage carried the mail and was drawn by four horses. It left Whitestown every Monday and Thursday at two o'clock in the afternoon, and at dusk reached old Fort Schuyler, which was the site of the present Utica, the *new* Fort Schuyler or *old* Fort Stanwix being the present Rome. This was a slow four miles. The journey was here interrupted for the night.

At four o'clock the next morning it was resumed, the stage arriving at Canajoharie in the evening. Here passengers that had a further destination were transferred to the stage that ran up the hills and through the Cherry Valley to Cooperstown, and which had come to Canajoharie all the way from Albany. The through fare between Canajoharie and Whitestown was two dollars, and way passengers were charged four pence per mile.

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WASHINGTON IRVING

Washington Irving

Primitive as these arrangements were, and mortally slow as measured by our modern standards, it was immensely in advance of the manner of travel necessary forty years before, as described by the author of "An American Lady." Then the frail canoe or the lumbering scow had to be pushed or pulled up against the shallow current, and their contents and passengers constantly transported around obstructions. The ever-increasing tides of immigration, too, helped on with such convenience so far into the wilderness, would be encouraged to penetrate a step still farther.

And so we enter the leafy precincts of the great "far west" of New York State. What had taken place in the way of development and settlement within this still almost unbroken wilderness when Albany became the capital? Much, and in many ways. In a general way settlement of this region had been stimulated by the accounts of soldiers, who had taken part in the campaign of retaliation under General Sullivan in 1779. They had penetrated into the country of the Senecas, who were the chief offenders at Cherry Valley, far past Elmira, and almost to within sound of Niagara. The reports they gave of the fertility of the lands there induced many people from the settlements, and especially from New England, to try their fortunes here as pioneers.

Again, there were the military lands, set apart by the Legislature in 1782, for the officers and soldiers of the State who had served in the army of the United States to the end of the war. These lay in the "far west," comprising a tract of one million eight hundred thousand acres, the eastern line of which ran through the Oneidas' country, and the western along the western banks of Seneca Lake. It reached from Lake Ontario on the north to a line skirting the southern limit of Seneca Lake. The counties formed out of this bit of territory number five: those, of Onondaga, Cortland, Cayuga, Tompkins, and Seneca, besides the easterly half of Wayne and the southerly half of Oswego.

Thus, through all that section of the State, settlement was

sure to follow, as the soldiers concluded to realize their arrears in money payment, either by exploiting the lands themselves or getting cash or rent from those who undertook the experiment of developing the wilderness instead of them. In 1786 the Legislature passed an act providing for the sale of unappropriated lands within the State. These amounted to about two-thirds of its territory. A board of commissioners was created, consisting of the governor, the lieutenant-governor, the speaker of the Assembly, the secretary of state, the attorney-general, the treasurer, and the auditor, a truly formidable array of officers.

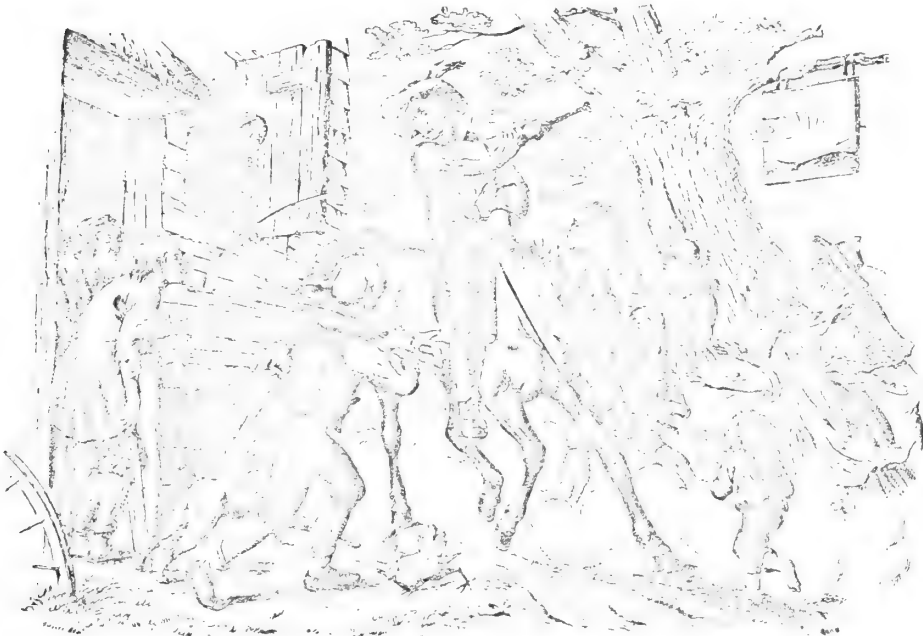
This sale of lands may have been of some use in encouraging settlement, yet it was no unmixed good. The one-third of the State's territory already appropriated was mostly in the hands of patentees who were not settlers; and the sales now contemplated were for the greater part also made on a large scale. This discouraged energetic pioneers, who were not disposed to brave hardships in order to make the lands of others profitable, and who, therefore, preferred to go through our State without stopping, helping to make Ohio and States still further west.

Considering now the record of individual enterprise, as we take our first step across the borders of the older settlements, which may be said to cease with German Flats in Herkimer County, we meet with a worthy pioneer family at Whitestown, four miles west of Utica. Utica was not as yet known, but Fort Schuyler stood as a nucleus of later things, and the place selected for this enterprise rejoiced in the Indian name of Saughdaghquadu. In January, 1784, Mr. Hugh White and family emigrated from Middletown, Conn., and cleared a place for themselves in the wilderness here.

This was less than two months after the evacuation of New York by the British. Thus the settlement was the earliest seizure of the new opportunities which the times were opening to State and nation; and it was the first in the State so far west. Mr. White, whose name is appropriately attached to the localities in Oneida County which owed their beginning to him, lived to be

known and revered as the patriarch of New England pioneers, as he did not die till 1812, at the age of eighty years. Other families from New England followed the Whites between 1785 and 1788, and in the latter year the township of Whitestown was organized, and had a population then of two hundred persons.

Now, in rapid succession, various counties of this central-western group are seen to receive their first civilized occupants. In 1784 and 1785 two pioneers took up their lonely abode at



THE NEWS FROM LEXINGTON.

Seneca Falls in Seneca County. The first family to settle in Onondaga County came there in 1786; and Cayuga County welcomed the first home in its wilderness in 1787. In 1788 a few families made a beginning of Clinton, again in Oneida County; and in 1790 there were a few families of pioneers at Owego, in Tioga County. The charm of genius has made much more familiar the story of a settlement of the previous year.

It was in 1789 that Judge Cooper, of Burlington, N. J., moved

from that steady-going town on the Delaware River to found a family seat in the wilds of New York, carrying with him an infant son, whose experiences thus gained were to immortalize the Indian lore and the pioneer history of our State. One of the famous Leather-stocking Tales, that was issued by James Fenimore Cooper, is entitled "The Pioneers," and is a faithful picture of life on the frontier. Cooperstown, at the southern extremity of Otsego Lake, in Otsego County, commemorates the enterprise of the novelist's father. Continuing this rapid survey, we may add that, when, in 1796, England gave up the forts she had held by the terms of the treaty of peace, as a sort of guaranty for our good faith, settlements were at once begun at Oswego and Oswegatchie; and in the year of the transfer of capitals (1798) Lowville, in Lewis County, and a place in Jefferson County, were settled.

We now take a big stride to a region still further west, until we touch the very utmost boundary toward the setting sun; and here, too, we find development had set its hand upon the country when Albany became the capital of New York. In the year 1786 a curious thing happened: Massachusetts became the owner of some ten thousand square miles of New York territory. The land seemed to be clearly hers as per the terms of the Massachusetts charter, and it was ceded, this State parting with one-quarter of itself in so doing. The territory consisted of two tracts: one was comparatively small, measuring about sixty square miles. It lay within the bounds of the present Broome and Tioga counties, and is now divided into some ten or eleven townships. It was sold by Massachusetts to a John Brown and associates for thirty-three hundred dollars.

The other tract was much larger, measuring over six millions of acres, or nine thousand six hundred square miles. It lay all west of a line drawn from Great Sodus Bay, on Lake Ontario, to the Pennsylvania boundary. Along the latter its length was one hundred and forty miles; along the lake it was one hundred miles; and its average width was eighty-seven miles. Massa-

chusetts sold this parcel of land for one million dollars to Oliver Phelps and Nathan Gorman, two of her own citizens. It is to be observed that New York, in ceding the proprietorship of the land, did not for a moment relinquish its sovereignty over the territory and those who should occupy it.

Two years after his big purchase Oliver Phelps emigrated from Massachusetts with an expedition somewhat commensurate with the vast tract he had acquired. They selected for their first experiment at exploiting the wilderness a delectable region at the northern extremity of Canandaigua Lake, the present Canandaigua in Ontario County. Up to this time all this western and central-western portion of the State had been included under Montgomery County. In January, 1789, in view of this recent maneuver of Phelps, doubtless, a great slice was cut off and erected into a separate county, called Ontario, Montgomery then still including Onondaga County and others of that tier north and south. A year later Ontario County (the mother of twelve counties) had a population of one thousand and seventy souls. In 1789 Geneva was founded, and in 1790 families moved into the later Monroe County, and also founded Geneseo, in the present Livingston County.

Phelps and Gorman had undertaken something altogether too big for them. They could not pay for all of the land, and a part of it was taken back by Massachusetts. This portion then underwent two very interesting transfers. In the first place, the transaction brings into connection with New York history, one of the most remarkable and commendable characters made prominent by the events of the Revolution.

Robert Morris, of Philadelphia, stands forth pre-eminent as the financier of that trying period, which was in no particulars more trying than in the article of finance. Some have not hesitated to ascribe to Washington and Robert Morris, together, the main credit of getting the colonies through the struggle for independence. Governor Roosevelt speaks of him as "the first in the line of American statesmen who have been great in finance;

a man whose services to our treasury stand on a par, if not with those of Hamilton, at least with those of Gallatin and John Sherman."

Bancroft alone does not seem to have so high an opinion of the man or of his financial abilities, saying of him that "he connected the reform of the confederation with boldly speculative financial theories," and that "his opinions on the benefit of a public debt were extravagant and unsafe." He also says of Morris that "with an exact administration of his trust, he combined, like Necker, zeal for advancing his own fortune." It must have been something of this zeal which induced him to purchase from Massachusetts part of the Phelps and Gorman tract, which occurred in March, 1791. Nearly four millions of acres thus passed into his possession.

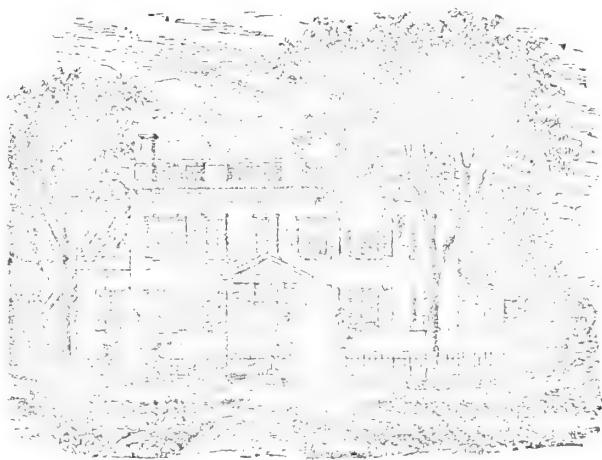
He did not propose, or else he was not able, to retain them long in his own hands. Besides selling a few hundred thousand acres to other individuals, or associations, he made a transfer of three parcels, counting three million three hundred thousand acres, to what is known in history as the Holland Company. This was an association of capitalists of Holland, who had doubtless become interested in America because of the generous loan of thirty millions of guilders (\$12,000,000) which had been negotiated with the Dutch Republic, largely because of the sympathy and confidence entertained there toward our struggle for freedom.

The names appearing in the deeds are Herman Le Roy, John Linklaen, and Gerrit Boon, but others were united with them in this great scheme of territorial proprietorship. Just what extent of territory was comprised in this "Holland Purchase," becomes at once apparent as we enumerate the eight counties which have grown out of it. These are: Allegany, Wyoming, Genesee, Orleans, Cattaraugus, Erie, Niagara, and Chautauque.

Settlements here had not much advanced when the century ended, but in the year of Albany's elevation, 1798, there was already a beginning of Buffalo. It had a double log-house; one house that was half frame, half logs; a two-story dwelling of

"hewed logs," which was the tavern; a log-house with a store in it, and three log-houses more. In spite of these diminutive proportions, the settlements east of Buffalo were reaching out toward it by establishing means of communication. Between 1790 and 1791 a road had been constructed by the people, without any aid from the government of the State, extending all the way from Whitestown to Canandaigua.

This facility for progress through the otherwise unbroken wilderness was naturally followed by considerable emigration, and settlements grew up apace along its course. As these drew still more settlers, the road was carried by slow stages beyond Canandaigua, first to the Genesee River, then to the Tonawanda Creek, and so on to Buffalo, villages and hamlets springing up again in its wake. The average annual immigration



MARINUS WILLETT'S RESIDENCE.

into the State from 1784 to 1800 was one thousand families, so that in the latter year seven of these far and central-western counties, as then delimited, counted together a population of 84,875 souls, distributed as follows: Oneida, 22,047; Chenango, 15,666; Tioga, 6,879; Onondaga, 7,406; Cayuga, 15,871; Steuben, 1,788, and Ontario, comprising then all the farther west of New York, 15,281.

Now, then, let us compare these figures with some others equally tell-tale of actual conditions in the State: Taking the counties above Orange and Dutchess, on either side of the river, and we find (in 1800) that Ulster County has a population of

24,855; Columbia, 35,332; Greene, Delaware, Schoharie, from ten to fifteen thousand each; Rensselaer and Washington, from thirty to thirty-five thousand each; Albany County has 34,042, its dimensions having been very much reduced; Saratoga, 33,447; Montgomery, 24,483, and Herkimer, 14,479. These figures are surely imposing, considering the date, and remembering the ravages of war to which these portions of the State had been subjected during nearly the whole of the century. And if even yet, as compared with the entire population of the State in 1800 (placed at 589,151), they might not be convincing, it is to be remembered that these numbers were only indications of drift and tendency, not to be regarded as stationary, as exhibitive of conditions that were to be for anything but a very brief present. Therefore it appears eminently reasonable that the seat of government for the State should have been shifted, even at that early date, to a more central location.

And what was Albany itself like at this important period in its history? In the year 1786 Albany celebrated the one hundredth anniversary of its incorporation as a city, and then it took account of itself and found that it contained five hundred and fifty houses. In this it was in advance of New Haven with four hundred, and Hartford with three hundred; but Philadelphia had forty-six hundred and New York thirty-five hundred. The population of Albany can not have exceeded three thousand in that year. In 1789 this had grown to four thousand, and in 1796 there were from twelve to fourteen hundred houses, with five thousand people. In 1794 the city gloried in a bank, and at the same time the subject of waterworks was contemplated, which seems a peculiar, though not necessarily unnatural, juxtaposition of ideas.

Albany had been a postal center for that part of the State since 1784. Hither came from New York, per sloop or stage, the mail for Schenectady and Greenbush. Not only so; but hence was forwarded the mail for Vermont and to Cherry Valley. And then by a sort of reflex action it was sent back from here to

Orange and Dutchess counties; but this must have been the New England mail, and not that from the southern parts of the State. The mail from New York arrived on Wednesdays and Saturdays; and two hours after the arrival of the "up-mail," the "down-mail" was dispatched on its southward journey. In 1785 the proprietor of a stage-line advertised with reckless promise that he would carry passengers down to New York inside of two days. This lightning speed was announced in June; but when the autumn came the prudent Jehu asked for three days to accomplish the feat. Twenty-two years later the "Clermont" was to set a new record for rapid traveling. Such was the little city nestling against the hills overlooking the Hudson, now invested with the dignity of being the capital of one of America's greatest commonwealths.

Albany, then, as the capital of the State in 1798, marks an epoch in the history of New York. It indicates the stage of development which had been reached at the end of the eighteenth century, the second century of the State's existence as a precinct of civilized human effort. Great things had been attained during this century. Not only had the population been nearly doubled since 1700; but now everywhere throughout its borders the unproductive wilderness was bending before the skill and energy of men to make it bring forth wealth from the soil that had been choked or hidden. And as the result of independence, the fruit of this same century, the flush of young nationhood, was upon this State as upon others of the Union. This lent intensity and hope to every endeavor, and sweetened hardships with the promise of the future.

That this future was big with unheard of things, was already felt, as the dawn of the nineteenth century reddened the horizon. What these things could be was not even dreamed. It could hardly have been then surmised that the advances made in many material conditions during the century soon to open would put the generations at its close farther from the men of 1798 or 1800 than the men of 1798 or 1800 were from the men of Richard

the Lion-hearted's days, or of the days of the good King Alfred. To that third century of our State's history we now eagerly turn.



GARDINER ARMS.

CHAPTER XIII.

POLITICAL FERMENTS FOLLOWING INDEPENDENCE.



THE eighteenth century left to our State and the other States a legacy of glory. The nineteenth century was destined to transmute the glory into the most splendid material benefit. The wildest dreams of prosperity and progress which may have been based on the political advantages gained, the sober realities of the succeeding decades did actuality put to the blush for not having been extravagant enough to come up with them. And this nation was to show the way of progress to the world. It had already solved the problem of popular liberty—the solution of which in France had proved so dismal a failure—by establishing firmly and practically a government of the people, by the people, and for the people.

But independence, the boon of the eighteenth century, drew after it political ferments as the inheritance of the nineteenth, and these attained considerable proportion during the first decade. To the dispassionate and philosophical observer these can not be altogether pleasant to contemplate, yet they seem inevitable under the actual conditions of human life. It is inseparable from free governments that there should be parties on different aspects of governmental policy. But all too soon the issue is joined, not on questions of policy, but on questions of personality—personal interests on the one hand, personal antagonisms on the other.

Certain men aspire to be leaders and to secure positions in the State, to be got by the aid of votes—majorities. Unhappily, these are not usually obtained by appeals to the reason;

for this requires thinking, and few men want to think. Followers are multiplied by appeals to passion: for it is so much easier to feel than to think. And so politics becomes a game: You win, or I win; who can draw the most people after him? The people are gained, not by arguing some abstract question, but by directing attention to men—by pointing at them as the holders of the opinions you combat, which makes them objects of suspicion, baneful plotters, secret destroyers of the republic or the State. This works like a charm in multiplying your adherents.



GEN. ISRAEL PUTNAM.

And not to be too cynical in our judgment, we must admit that often what is started as a game, as a hue and cry, becomes a sincere conviction with most of the leaders who raise the hue and cry. They are really honest in denouncing their political opponents as enemies of the public or the republic. Thus party violence comes to have a sanction as a pseudo-patriotism, a very sad phase to the philosophical observer. For now there will scarce be any bounds set to its

virulence or mischief, for even conscience (yes, and religion) will approve and encourage the worst violations of charity. Unfairness, misrepresentation, reach that awful state when they are not regarded as a crime but as a duty.

Parties may be inevitable. Nay, the philosopher may even concede that a hot and hateful partisanship may conduce toward the evolution of some of the latent forces of a self-governing people; in "the heat and the forge" of conflict, unsuspected, hidden powers or defects of the Constitution may be brought to the surface. Nevertheless, even the man who is not blind to some

of these practical effects can not see without sadness some other effects equally patent. What can be more humiliating to the lover of America, to the devoted advocate of free governments, than to observe the abuses which led to such exhibitions of spite and injustice as disgraced the very first administration? Who can read without a blush of shame for his country and his kind, the attacks on the unsullied Washington, led by that intolerable creature Freneau, who was kept in the pay of the Government by Jefferson for doing that indescribably dirty work? Who can observe without a qualm of pain men in every State, who had stood shoulder to shoulder on the battlefields of the Revolution, thinking the worst of each other when the Republic was established, and pointing the finger of suspicion and hostility at each other, so that multitudes of the unthinking crowd might suspect them and hate them as they did?

That unhappy picture was presented in no less striking colors in New York than elsewhere, as was abundantly shown by the exciting incident that marked the very opening weeks of the nineteenth century. Perhaps it will cause a smile of incredulity a hundred years from now that people and press in 1899 were seriously discussing whether the first year of the new century soon to open were to be counted as 1900 or 1901. It does not appear that people were so uncertain of their arithmetic or their phraseology a hundred years ago, and they, no less than right-minded persons to-day, counted 1801 as the beginning of our momentous century.

And on January 1 of that year, the people of the United States were in a tremendous state of suspense as to what was to become of the office of President; whether it was to be the mere toy of accident, or the place where they could put the man of their choice. In the autumn of 1800 there had been a Presidential election, in the old-fashioned way, as originally provided by the Constitution. That is, electors had been duly chosen in each State, and these electoral colleges had met together on December 4, 1800. At this time the electors cast their votes, not as mere

tools and figureheads of a party, but as individuals with brains and the power of choice, which it was deemed safer for them to exercise than for the crowd at large. Choosing then and voting as real electors for the people, a curious and puzzling result was obtained. The Federalist candidates, John Adams (now President) and Charles C. Pinckney, secured 65 and 64 votes, respectively; while John Jay, also a Federalist, and now governor of New York, with no desire whatever to run for public office, had been given just one vote by some ardent but not very wise admirer among the electors.

The anti-Federalists, now called Republicans, had nominated Thomas Jefferson and Aaron Burr, with the very clearly understood design that Jefferson should be their President and Burr their Vice-President. But these two candidates received exactly the same number of electoral votes—73. A plurality vote counted in the college, and if either man had had the 73 he would have been President. Since both had that number, and Burr was not willing to defer to the plain desire or intent of his party that he should be the incumbent of the secondary office, the tie vote stood in the way of the declaration of either man as President, and the work of election was thrown into the hands of the House of Representatives.

By the provision of the Constitution the results of the voting of the Presidential electors would officially be made known to Congress on the second Wednesday of February, 1801. As the electors finished their labors about Christmas, it was not till January 1, 1801, that it was known from one end of the Union to the other that no President had been elected, that the Federalists had lost the election, and that the two Republicans grimly held to the chance of being made Chief Magistrate of the Nation. It was a combination of details full of anxiety and excitement. Nor was the share of New York in the suspense by any means the least. Aaron Burr was her Senator in Congress, and thus she was now the nearest to having the Presidency that she came for many a year thereafter. Yet the circumstances of the

case forbid us to contemplate that fact with much pride or satisfaction.

For the surprising figures reached by the electors' votes, lead us to ask some questions. Why was the Federalist vote divided between Adams and Pinckney, instead of being concentrated on Adams? Because patriot Adams was up in arms against patriot Hamilton, because neither quite trusted the other, or because one was jealous of the power of the other. For this reason Adams had refused to appoint Hamilton first major-general when war with France seemed imminent, until Washington made his own acceptance of the chief command dependent on that appointment. And for this noble reason, too, supported by this attempted slight, Hamilton exerted his influence to draw votes from Adams for Pinckney, with the result that the Federalist party lost the Presidency and soon came to utter ruin. If patriots thus stood opposed to each other within the same party, what could be expected of them when they stood in antagonism on vital questions of government?

Another question arising out of the showing of the votes of the electoral college is of still greater interest to New York. How was it that Aaron Burr stood over against the Colossus Jefferson, and not only presumed to measure himself with that idol of the Republicans, or anti-Federalists, but contrived to come out an exact equal in the process? We might almost say, so far as events had gone thus far: We know Jefferson, but who is this man Burr? Burr had distinguished himself in the army life of the Revolution by two or three praiseworthy acts. He had carried General Montgomery's mortally wounded form at Quebec; he had let Putnam's army out of its trap in New York City, along the west side of Manhattan Island, while Howe was landing and marching down on the east side. He had made a dash at a Tory stronghold near West Farms, in Westchester County, and captured it, when Howe was trying to get into the rear of Washington on the way to White Plains.

Before the war was quite over Burr left the army, studied law

at Albany, and began its practice in New York City immediately after its evacuation. In 1784 he was chosen a member of the Assembly, and his talents as a speaker and debater became soon apparent. These were recognized by the Legislature in 1791, when he was elected United States Senator. This was already a sign of party disaffection. In 1789 General Philip Schuyler and Rufus King were elected to the Senate of the United States from New York. No one objected to Schuyler being thus honored, but the members of the great New York families saw no reason why they should be passed over for a



MAJOR-GEN. ALEXANDER M'DOUGALL, FIRST PRESIDENT OF THE NEW YORK STATE SOCIETY OF THE CINCINNATI.

man who had settled among them as a stranger from New England. Hamilton insisted upon his nomination against the protests of the Livingston following, who thought that the chancellor was entitled to the honor, and also that Hamilton should have been sufficiently satisfied with the appointment of his father-in-law.

Hamilton's tact was never too conspicuous, and it failed him here. He foolishly threw away a considerable support in his own State, where the Federalists needed all the strength they could hold together. Perhaps he thought the Federalist convictions of the Livingstons were proof against the loss of position or office. But, alas! the old acquisitiveness of the original Robert was still alive among them, and from the hour of this disappointment the Livingston family and following became anti-Federalist or Republican. Senator Schuyler drew the lot for the two-year term, which was necessitated by the beginning of the Senate as a body, only part of whose members were to be changed every two years, while the full term finally would be six years for each member. Hence a new senator was to be elected in 1791, and the Livingstons

combined with the inveterate anti-Federalist Clintonians, to defeat Hamilton's relative. The country might suffer from the supplanting of so splendid a character as Schuyler by a young and untried man, whose subsequent career proved hurtful to it in many ways; but what was country compared to family interests and party triumph, to these patriots who had recently bled to make it their own?

Aaron Burr made himself very useful to the anti-Federalists in New York. He sustained the counting-out of Jay in 1792, and by his personal magnetism and the methods of the practical politician, wherein not too much scrupulousness and nicety of honor needed to be observed, Burr succeeded in turning the tides of following in the lower Federalist regions of New York State. It was due to him that in 1798 the Republicans had a majority of twenty-eight in the Assembly, while the Federalists could count on a majority of but eight in the Senate. The Legislature as a whole was thus solid for the measures or the men that would antagonize the Federalist policy. Besides this meritorious party-work in the State, to Burr belonged the credit of a master-stroke which turned the tide in favor of the Republicans in the Presidential contest of 1800.

As if fate deplored and was determined to punish the deterioration of patriots into partisans, the dislike of Hamilton for Adams let him into a fatal mistake. He wrote a letter to Adams severely criticising his public conduct. It was intended for private circulation among Federalists only, to turn votes from Adams and concentrate them on Pinckney. But it was playing with dangerous weapons. The astute and unscrupulous coterie of whom Burr was the moving spirit, learned of the paper, and had no hesitation in corrupting the printer from his trust. They secured the proofsheets, reprinted the severe diatribe of one Federalist against another, spreading confusion and dismay among the ranks of the President's party, with the result that the votes of the electors gave an almost equal number to Adams

and Pinckney, but were unable to reach a figure that would have elected either.

It is not so much to be wondered at that Aaron Burr's tactics should have won him many admirers, and that a goodly number of the electors should have deemed him worthy of a second place on the Presidential ticket. But they had not calculated that the Federalists would be able to poll so many votes for their two candidates that Jefferson's vote would come down to the same figure up to which Burr's had risen. And hence there happened to be that vexatious tie, which, in its turn, brought dismay to the Republicans.

It would have been more loyal to the party he had served so well, if Burr had consented to take the second place. But doubtless Burr was in politics for himself quite as much as for the party; and though he should have felt the same deference toward the great leader that others felt, perhaps it is not in reason to expect any man to let the Presidency slip out of his grasp when he had such a hold on it as this. Still the tenacity of Burr caused disgust among his own party men, and left them in distressing uncertainty about Jefferson. This feature of the situation delighted the discomfited Federalists, and they hoped to balk their opponents of their dearest wish by giving them as President the lesser man, whom they did not want. Therefore the country waited in painful suspense through those first six weeks of the nineteenth century, until, on February 11, the House of Representatives should vote on the candidate.

But now began another period of excitement and suspense. Sixteen States were now in the Union, and their delegations in the House voted as units; a majority of these was needed to elect. On the first ballot eight States voted for Jefferson, six for Burr, while Vermont and Maryland could cast no vote, because of a "tie" in their number. There was therefore no election. Six more ballots in rapid succession did not change the result. A recess of an hour was taken, and eight fruitless ballots followed this. Thus the suspense was prolonged during five anxious days. The

passions of men were at white heat. "Federalists were plainly told," says one painstaking historian, "that if Aaron Burr were made President, the Republicans would arm, march to Washington, depose the usurper, and put Jefferson in his place."

The poor accommodations of the primitive capital were taxed to their utmost to entertain the crowds of people that flocked to the scene of the contest. "The Federalists," says Professor Morse, "had the power, by holding steadily together, to prevent any election whatever. Momentous as such a political crime would be, nevertheless many influential Federalists soon showed themselves sufficiently embittered to contemplate it." It was freely charged that Burr was making bargains with these Federalists. But, badly as he was compromising his future by the disloyal stand he was occupying, he did not make the situation any worse by any such deliberate treachery to Jefferson; the latter fully cleared him from all such blame in later days.

The deadlock was finally broken on Monday, February 16, when thirty-six ballots had been taken. In the Maryland and Vermont delegations those who had thus far voted for Burr so as to make a tie, voted blanks, so that these States cast a vote each for Jefferson. At the same time the one delegate from Delaware, James A. Bayard, although a Federalist, also cast his vote for Jefferson, and the election of the latter was assured, placing Burr in the place where he belonged. This result was due to the patriotism that survived in the breast of Hamilton and made him rise superior to partisanship. He had had severe conflicts with Jefferson, and on party lines they could have been no more diametrically opposed than they were. But Hamilton knew Burr, and knew that he was not so well to be trusted with the fortunes of the country as Jefferson. Hence he labored to persuade the Federalists in Congress to desist from their desperate purpose of either making the election go by default or of giving Burr their votes; and finally they yielded to the voice of reason and patriotism. A sad reward was in store for Hamilton for this act.

During this same opening year of the nineteenth century, ferments had also marked and marred the fair field of State politics. The second term of Governor John Jay came to an end in 1801. He had been offered a renomination, but he was tired of politics—perhaps of politics as it had now grown to be. "The period is now nearly arrived," he said, "at which I have for many years intended to retire from the cares of public life." It was not so with George Clinton, who had been elected governor six successive times up to the year 1795. He had then discreetly declined the nomination, because he foresaw that the people were in a mood to revenge the infamous counting-out of



BENEDICT ARNOLD.

1792. But now he accepted a renomination, for he shrewdly foresaw victory; which, indeed, he secured, and took his seat for the seventh time in 1801. Jay then finally withdrew from public life. President Adams had offered to appoint him again to his former place of Chief Justice of the United States Supreme Court. But even this could not tempt him to depart from his cherished purpose. He therefore retired to his country house at Bedford, in Westchester

County, where, in less than a year, grief overwhelmed him in the death of his beautiful and accomplished wife, but where, after this blow, he lived in peace and happiness until 1829.

The first matter of importance that claimed Governor Clinton's attention was the meeting of a constitutional convention, in this same year 1801, for the purpose of determining some questions as to the Council of Appointment. This, as we saw, was a feature of the Constitution of the State of New York, created in order to put a check upon the governor, and grew out of the apprehension lest experiences under colonial governors might be repeated under a free government. It was composed

of the governor and four senators. While it was intended to divide responsibility with the governor, and to check any tendency toward improper nominations to office, yet the intention was that it should be to him an aid rather than a hindrance.

But it was admirably adapted to be the latter in the case of a governor and a legislature of opposite parties. Such happened to be the case in 1798, as we saw, thanks to Burr's manipulations, who himself was returned to the Assembly, having served his six years in the United States Senate. Jay was opposed to anything like a spoils system, and would not disturb men in office because of their political affiliations. The Clintons and Livingstons were of a different mind; and as the governor would not heed their wishes to make room for their friends, they refused to ratify his nominations for offices that needed to be filled. There was but one Federalist in the council to vote with the governor, and so the majority of three could "hold up" his nominations effectively.

The closing months of Jay's term were filled with the annoyances of this petty and unworthy squabble. On February 11, 1801 (the very day that the momentous balloting began at Washington), the governor nominated a sheriff for Dutchess County. He was rejected, and seven subsequent names presented met with the same fate. He then nominated a man of the majority's party, and he was at once confirmed. On February 24 the same child's play went on over nominations for sheriffs of Schoharie and Orange counties, and nothing was accomplished.

Then a member of the council made a nomination, which the governor ignored, as this was an impudent innovation, destructive of an important function of the executive power. But the majority claimed this new interpretation of the Constitution as a right, and Jay referred it to the Legislature, which declined to act on a constitutional question. It was then referred to the Supreme Court and the chancellor, who declined to give a decision on an "extra-judicial" point. Hence on April 6, 1801, the Legislature passed an act, calling a constitutional conven-

tion to decide the question whether the Council of Appointment had a concurrent power of nomination with the governor.

Pending the decision Governor Jay did not again call the council together during the brief remainder of his term. But no sooner had Clinton retaken his old seat than the council was summoned and met in August. Now things went exactly as the partisans wanted. De Witt Clinton, his nephew, was a member, and so was Ambrose Spencer, who had married a Livingston. Two months before the convention met, the council and governor (who simply ignored the one Federalist member) made a clean sweep of their opponents out of the positions they held. Edward Livingston, brother of Chancellor Robert R. Livingston, was made mayor of New York; and the secretary of state was removed to make room for a brother-in-law. The Federalist controller was removed, and likewise the clerk and recorder of New York City. And the minor offices suffered like renovations.

In short, this was the dawn in America of the baneful "spoils system," and New York has to bear the disgrace of the initiation of that main blot on the American republic, and the one serious threat to its existence or continuance. "The proceedings of this Council of 1801," says Edward M. Shepard, himself a Democrat, "have profoundly affected the politics of New York to this day. Few political bodies in America have exercised as serious and lasting an influence upon the political habits of the nation." De Witt Clinton and Ambrose Spencer were alone responsible for it. Even Governor Clinton entered a protest, but not so effective a one as to stop the proceedings. And these same initiators of the spoils system had complete control of the constitutional convention.

It met on October 13, 1801, and unanimously sustained the contention of the majority of the council, that they had the right to nominate as well as the governor. It left the executive power of the governor sadly shorn, but the place-hunters and place-dealers needed that state of things for their plans. This convention also fixed the number of State senators at thirty-two,

which was retained nearly up to the present day, with a population increasing sixfold. The members of the Assembly were to number one hundred, with a proportional increase after each census. Aaron Burr was president of the convention, and not only De Witt Clinton, but also Daniel D. Tompkins, both subsequently governors, were members. It adjourned on October 27.

Aaron Burr's evident intention to secure the Presidency if he could, at the expense of Jefferson, had thoroughly discredited him with his own party. At the close of Jefferson's first term he was enthusiastically nominated for a second; but Burr was not even mentioned. George Clinton, the oft-elected governor of New York, was placed on the ticket for Vice-President, and transferred his sphere of influence from the State to the Nation, destined to go through more than one re-election to this more exalted office also. There was thus a new governor to be elected for New York, and Burr here sought his chance for rehabilitation with his party. The Clintonians and Livingstonians were too strong for him, however, and they nominated Colonel Morgan Lewis, a brother-in-law of ex-Chancellor Livingston.

Burr then hoped to get the indorsement of the Federalists, but they nominated John Lansing, the deserter from the constitutional convention, but now chancellor in Livingston's place, who had been appointed minister to France by President Jefferson. Perhaps Lansing saw the incongruity of posing as Federalist candidate, or else the hopelessness of the election induced him to decline to run. Then Burr, as a last resort, named himself as an independent candidate, hoping to draw to himself those Republicans who were not the friends or favorites of the Clinton-Livingston faction, and all of the Federalists who were now without a candidate of their own. But disappointment again was in store for Burr. Hamilton again warned the Federalists against Burr, and recommended them to support Morgan Lewis, their political enemy, as a more trustworthy man. As a consequence, Morgan Lewis became the next governor of New York, in 1804.

Morgan Lewis was born in New York City on October 16, 1754. His father was Francis Lewis, one of the signers of the Declaration of Independence, who had settled as a merchant in New York in 1735, and, although of English birth, was devotedly attached to the patriot cause. Having a country-seat at White-stone, on Long Island, Mr. Lewis moved his family there in 1776, when New York was threatened; but after the battle of Long Island, the British took particular pleasure in devastating his property, and in imprisoning and maltreating Mrs. Lewis to such an extent that she died from the effects soon after being restored to her husband. Morgan Lewis graduated from Columbia

(King's) College in 1773, whereupon he gave himself to the study of law in John Jay's office. The war drew him into the army, like so many other young men of promise and of spirit, and he distinguished himself at the first battle of Saratoga and at Germantown. When peace returned, with its openings to public life, we find him occupying several prominent positions.



KING GEORGE III.

He was elected to the State Legislature in

1781, became successively attorney-general of the State, one of the judges of its Supreme Court, and in 1801 was chief justice. He had married a sister of Chancellor Livingston, and had faithfully followed that family when it turned from Hamilton and Federalism to Clinton, Republicanism, and office. In 1804 he

was their candidate for governor, as we saw, to succeed George Clinton. He was not re-elected in 1807, but in 1810 was made State senator. During the War of 1812 he entered the army again, and attained the rank of major-general in 1813. He captured Fort George, and was in command at Sackett's Harbor. In 1815 he retired from public life. He was generous to those dependent on him, and at one time remitted the arrears of rent to those occupying his estates, so that he escaped the bitterness of attack which other landlords suffered during the anti-rent troubles. He died in New York in April, 1844, at the extraordinary age of ninety years.

When Aaron Burr realized that he had again been defeated and disappointed in his ambition by the intervention of Hamilton, he was determined to seek his life. He was now left without any ground to stand on, politically, either in the Nation or in his own State, and he became desperate. His temperament was unscrupulous, almost without serious moral restraint, and as such the man is a problem in heredity. His father was the Rev. Aaron Burr, widely respected as a godly minister, as well as a talented orator, and of great reputation for learning. He was elected president of the College of New Jersey, at Princeton, and here the younger Burr graduated. His mother was the choicest flower of a choice family, the daughter of that revered and saintly moral philosopher and profound theologian, the pride of New England, the Rev. Jonathan Edwards. Both these parents died while Burr was still an infant of a few years, and somehow he received a moral or religious twist in his bringing up, which unbalanced his character.

Burr could not stoop to be a murderer or midnight assassin. His moral unsoundness did not go such lengths as that. He had a due regard to the restraints and opinions of society, nor was he ambitious to become acquainted with the common hangman. But, unfortunately, in those days society rather encouraged one murderous means of satisfying revenge, the duel. "With cold deliberation," says Senator Lodge, "he set about forcing a

quarrel." Occasion for a quarrel was readily found, after an election contest, yet even in this Burr was not straightforward, and proceeded to extremities without having a clear case. It was while Hamilton was at Albany on legal business that he had dissuaded the Federalists from supporting Burr, at a caucus held in a tavern or hotel there. Two adherents of Burr had surreptitiously introduced themselves into an adjoining apartment, and naturally overheard some things not complimentary to their chief. But this base business was too low even for Burr's use in the present instance.

He turned therefore to something else. A letter was printed in the newspapers of the day, making the statement that Hamilton had discouraged the Federalists from voting for Burr, adding: "General Hamilton and Judge Kent have declared in substance that they looked upon Mr. Burr to be a dangerous man, and one who ought not to be trusted with the reins of government." This was sufficiently harmless language for a political campaign. But there was another sentence more to Burr's purpose, and he seized on that: "I could detail to you a still more despicable opinion which General Hamilton has expressed of Mr. Burr." This sentence he underscored, and sent the extract to Hamilton, demanding an explanation or satisfaction.

The writer of this mischief-making letter was a Dr. Cooper, who had been with Hamilton at the private table of a mutual friend, where these remarks were alleged to have been made. Hamilton was not responsible for the odious comparison instituted by Dr. Cooper between one remark of his and another. Again, if neither he nor Dr. Cooper could recall the exact language of the more heinous utterance, there was nothing to be explained, and no ground for calling out anyone to a duel. The groundlessness and irrelevance of Burr's contention were pointed out by Hamilton. "How shall I annex any precise idea to language so indefinite?" he asked. "How could you be sure that even this opinion [the 'more despicable' one] had exceeded the

bounds which you would yourself deem admissible between political opponents?"

If Burr had had any other than a murderous intent, he would have admitted the force of these considerations. His "honor," too, should have been fully satisfied by the reply that Hamilton authorized his second to transmit: "He would be able to answer consistently with his honor and the truth, in substance, that the conversation to which Dr. Cooper alluded, turned wholly on political topics, and did not attribute to Colonel Burr any instance of dishonorable conduct, nor relate to his private character." What more could Burr have wished? Could Hamilton have gone further to take away the cause for a quarrel?

But the unhappy feature of this whole affair is that Burr did not really wish for an explanation. We have been at some pains to show this, that it may illustrate the fierceness of personal hatred to which the political ferments early in the history of State and Republic led. In the account of this duel only the fatal hour is usually dwelt on with most particularity. It is a familiar story how the two distinguished men—one the founder of the Nation's financial and governmental integrity and prosperity, the other at that time the Vice-President of the United States—met on July 11, 1804, on the duelling-ground at Weehawken, opposite Manhattan Island, on the New Jersey shore, and sheltered from observation and interruption by the wall of the Palisades towering above them; how Hamilton, himself refusing to shoot, fell mortally wounded at Burr's first fire; how he died the next afternoon, to the grief of a stricken wife and young family, and to the inextinguishable horror and indignation of a whole people. It was a striking commentary on the reprehensible antagonisms to which men had permitted themselves to be excited by differences of opinion perfectly warrantable, but which need not have involved passionate personal hatred.

The duel is of lamentable interest to New York State as ending the careers of two of her brightest sons, the one in violent death,

the other in obloquy and hopeless obscurity. With Hamilton out of the way, Burr had thought to have a clear course to all his ambitions. In fact, it killed him politically as dead as it killed his opponent physically. For a moment he made himself the hero of a fantastic and romantic scheme. But this attempt only heaped the greater distrust and aversion upon him. He went back first of all from the duel to his chair as Vice-President of the United States, to preside over the Senate for another winter. He had to escape from New York under cover of the night, with an indictment for manslaughter hanging over him. In Washington the law could not reach him in his official position.

When Jefferson's second administration began, on March 4, 1805, Burr had to give way to George Clinton; and then the Nation heard not of him till it was startled by a wild design of



OLD BLUE BELL TAVERN.

his, which seemed to aim at setting up an independent empire in the Southwest, in the territory lately purchased from France. It involved mysterious plottings, the impressment of volunteers in Eastern seaports, the passing of vessels manned and armed in approved melodramatic

fashion, down the Ohio and the Mississippi. There were conferences of adventurous spirits on an island past which flowed the swift current of a great Western river; where one Blennerhasset occupied a fine mansion, and princely hospitality was dispensed at the hands of his beautiful wife.

For some time these movements, so much more of a character to adorn the pages of a novel than to alarm the existence of a nation, were ignored by the authorities. But, after awhile, clamors arose that designs were formulated against the integ-

rity of the Republic, and that the schemers had some reason to expect the aid of officers of the United States army. Then, by a few vigorous measures, the bubble was soon pricked, and Aaron Burr, the prime promoter of the even yet mysterious attempt, was arrested and tried for treason.

Hamilton's opposition to Burr had always been based on the suspicion that he was capable of disrupting the Union to advance his own schemes of personal ambition; that he could foment and lead a secession, if he could win glory and power by it. And secession was not an idle and impossible dream, either in 1801 or in 1804. Even to the length of tearing the country asunder were men prepared to go to secure party ends. Secession was not a dream, but it was a fact contemplated and needing but some bold spirits to try it on. Hence Hamilton and Kent felt the danger of Burr's ascendancy; that he was not to be trusted. As Senator Lodge says: "He sought the governorship of New York, behind which was the possibility of a northern confederacy and presidency, a phantom evoked by the murmurs of secession now heard among New England leaders."

The suspicion and fear of Hamilton were amply justified by these machinations of Burr in the Southwest. Yet, when he was finally brought to trial for high treason at Richmond, in 1806, the result of seven weeks of counter-pleading was the Scotch verdict, "Not proved." Nevertheless, Burr was a ruined and discredited man. He went to Europe in 1807, spent six years there in sad penury and obscurity, from which his splendid talents and fascinating manners could not relieve him, and returned to America in 1813. For twenty-three years longer he continued the hard struggle of life, shunned by society, sustained by a little law business, and finally, in 1836, he died on Staten Island at a small hotel, the St. James, at Port Richmond, which is still standing. He was then eighty years of age.

Before passing on to that event of supreme interest which shall occupy us in the next chapter, it will not be out of place in such a history as this to notice the establishment of the famous

Military Academy of the United States on the soil of our State, at West Point, in Orange County. On September 10, 1790, the United States acquired here by purchase a tract of over two thousand acres. It had been abundantly shown by the War of the Revolution that the armies of the Republic needed well-trained officers to make the men under them efficient. Washington had nothing but an enthusiastic rabble to win the battles of freedom with at the first. The militia had been in existence in all the colonies, but when these regiments appeared before the commander-in-chief, and were assigned to duty by him, they were apt to act the part of political clubs rather than that of regiments under strict discipline. They would mount guard or perform evolutions if they pleased; otherwise not, so that Washington dismissed some of them in a very great hurry.

So greatly needed was military education that General Knox urged the establishment of a school as early as 1776. A military school was practically initiated at the instance of Washington in 1794. A corps of engineers and one of artillerists was stationed at West Point, and lessons were given to the members in their departments. The sessions were held in a building called the Old Provost. This was burned in 1796, and the school was suspended until 1801. West Point came to be selected for the famous academy for a very interesting reason. It was always recognized as "the key to the United States." We have pointed out the recognition of that fact in the chapter on the Revolution; and that for this reason Arnold and Clinton fixed on it as the place to be surrendered by his act of treason. It was therefore recommended that West Point should always be kept as a post in a defensible condition, in the times of peace as well as of war. And it was argued that with but little additional expense there could be instituted an academy for the training of officers.

By an act of Congress, in March, 1802, the Academy was formally established. Two corps were stationed at West Point, as before: one of artillerists, to which forty cadets were attached, and one of engineers, with ten cadets. The senior officer of these

troops was to act as superintendent. The secretary of war was to procure books, implements, and apparatus. Various officers were to do the work of instructors, and in 1803 the President was authorized to appoint a teacher of French and drawing. Major (later Colonel) of Engineers Jonathan Williams, was the first superintendent. In this feeble and tentative way began the work of the splendid institution, which is well worthy the pride of the whole nation.



HICKS ARMS

SUPPLEMENT TO CHAPTER V.

A VIEW OF SOME OF THE AMENITIES OF COLONIAL LIFE AT THE END OF THE SEVENTEENTH CENTURY.



THE Peace of Ryswyck in 1697 had put an end to the war between England and France, growing out of the accession to the English throne of William and Mary, Louis XIV. having espoused the cause of the banished James II. Six years and more hostilities had raged with more than usual virulence between the French of Canada and their Indian allies, and the suffering border colonies of New York and New England. Now that peace had come, Lord Bellomont, the Governor of New York, sent two commissioners in May, 1698, to treat with the Governor-General of Canada, Count de Frontenac, about the exchange of prisoners, and other "public affairs."

The men chosen for this important and delicate task were Colonel Peter Schuyler, Mayor of Albany, and Rev. Godfrey Dellius, pastor of the Dutch Reformed Church there. In his letter to Frontenac, Bellomont characterizes these two gentlemen as "*tous deux gens de condition et de mérite pour vous marquer l'estime que j'ai pour une personne de votre rang.*"

They left Albany on May 8, and arrived at Montreal on the 19th. A party consisting of a French lady, Mme. Pachot, and her friend or relative, M. Asur, both of Quebec, were on the point of starting for home. The governor of the city thereupon asked them as a personal favor to delay their journey for a day or two, so that the English commissioners might join them.

making the journey safer and more agreeable for the latter. Although for an important reason even a day's delay might be a matter of serious inconvenience and discomfort to the lady, they consented to wait. Disposing themselves and their effects in four canoes, the traveling companions undertook their voyage down the St. Lawrence to Quebec, and arrived there on May 25.

So agreeable had the companionship proved to both parties that Mme. Pachot and M. Asur both strongly urged Colonel Schuyler and Mr. Dellius to accept the hospitalities of their own homes during their stay in the Canadian capital. This they declined, and took lodgings at an inn. But this did not prevent their being frequently entertained at the Pachot, the Asur, and other houses.

At the hospitable board of M. and Mme. Pachot the commissioners from New York were particularly delighted with a certain dish of unusual delicacy to which they were unaccustomed. This was "fresh salmon," which was a "great rarity in New York." They could not refrain from expressing their "admiration," as the Rev. Mr. Dellius tells us, whereupon Mme. Pachot very graciously promised to send them some "pickled salmon" after their return to Albany.

Not to be outdone in courtesy and at the same time to vindicate the advantages possessed by their own province in the prandial line, Colonel Schuyler and the Domine promised to send the Pachots some of those marvelous oysters caught in New York Harbor, of which Canadians knew nothing, and also some of those luscious fruits that came to New York from Barbadoes and other West India islands in such great abundance, "oranges, lemons, cocoanuts, and such like."

Unfortunately, the business upon which the commissioners had been sent to Canada compelled them to bring distress to the very home where they had been so pleasantly entertained. About six years before, when the war had been going on but a few years, an English boy had been brought captive to Quebec by a band of Indians who had made one of those all too frequent murderous

assaults upon "a place in New England called York." Parents and nearest relatives of the boy had all been massacred, but he was carried captive to Quebec. He was then eight years of age, a bright and pretty child. M. Pachot bought him from the Indians, to be part servant, part playmate for his own children, and now at the age of fourteen, Roland was as much beloved as if he were one of their own. But the child had been specially mentioned in their instructions, to be recovered with all captives taken during the late war. Hence there was nothing to do but to submit to the separation, and the boy Roland went back to Albany with Schuyler and Dellius.

A year passed away, and on June 26, 1699, Mme. Pachot wrote a letter to Rev. Mr. Dellius. It did not reach him at Albany, for he was not there, but in England, and it was forwarded to him there. She began with an apology for not keeping her promise about the pickled salmon, excusing her forgetfulness on the sad ground of a great grief—the death of her husband. As she touchingly says: "*Cette parte non seulement me fut oubliée mes amis; mais je m'essois oublié moi-même.*" By means of some French friends in Albany she now fulfilled her promise, but she gracefully rallies the Colonel and the Domine on their failure to send the promised oysters and fruits. Saying that her memory had been aided by the recollection of the journey they had all had together, she expresses strong doubts whether they ever thought of it, for if they had they, too, would surely have remembered their promise. "*Car je crois M. Dellius trop gallant pour n'avoir parfait pour moy ceque je fait aujour-d'hui pour lui avec tant d'agrément.*" Then she concludes, signing and dating the pretty little note.

But even two hundred years ago a woman's letter already exhibited its invariable characteristic. The most important part of it was the postscript. It was quite as long as the former portion, and was really the "business end" in more senses than one. First, it expressed regret at not being acquainted with Mrs. Dellius, as otherwise the writer would assure her of her

respects. Next, it asked Dellius to be of whatever service might be required to the bearer of the letter. Thirdly, it begged him to send her news of Roland, hoping that he might still be sent back to her, since he had neither parents nor relatives, adding very sweetly: "*Je l'aime tousjours.*" And lastly comes a most business-like conclusion: If any merchants in Albany would like to establish connections with her, they were referred to an agent or factor who attended to her affairs, when she was not on hand to see to them herself; so that evidently she was a resolute little woman, as well as an affectionate wife and tender mother, and courteous correspondent. The style of her letter indicates culture, the apparent slips in spelling being accounted for by the older methods prevalent and correct two hundred years ago. Indeed, it is somewhat surprising to find so many cases of the imperfect tense terminating in "ais" instead of "ois," as was then the mode, unless this be due to the unconscious or conscious modernizing of the transcriber of the record.

And still by this letter there hangs a further tale. Sad changes had come to Dellius also within the year since the pleasant Canadian visit. As was said, the letter was forwarded to him in England. He was there to defend his name and to save his property. Bellomont, who had spoken so highly of him to Count Frontenac, had become a bitter enemy. Grants of land obtained from Governor Fletcher, and for which he had paid the ordinary purchase price to the Indian owners, had been vacated on the charge of fraud. And to justify this rather severe treatment, his private character was further assailed in various ways. Mme. Pachot's letter was the innocent cause of a very base slander. Failing to reach Dellius at Albany, it fell into the hands of Rev. Mr. Nucella, the pastor of the Dutch Church at Kingston, N. Y. He opened and read it, and showed it to his wife, who sent it to her mother, residing in London, to be by her delivered to Mr. Dellius. It would seem from this as if the Kingston minister and his wife meant to do the fair and square thing by Domine Dellius. But yet it must be said that they only knew the contents

of the letter. How, then, did Bellomont come to make out of it the monstrous tale that it gave proof that Mr. Dellius had had improper relations with a French Canadian woman? Nucella would not show Bellomont the letter; but if such a huge and baseless slander was manufactured out of it by the governor, shall we dare to conclude that the hint of it was conveyed to him by what the Kingston pastor told him, or must we accept the other disagreeable horn of the dilemma, that Bellomont deliberately perverted and falsified the information he obtained about it? Surely nothing could be more delightful than the picture of the amenities of colonial life, exhibited by the letter and the circumstances out of which it grew. And at the same time it stands forth clear as the day that the letter could not be interpreted in the remotest degree as intimating any but the most innocent and virtuous conditions.

Still another bit of interest. This letter occurs in a "Defense" by Dellius addressed to the Classis of Amsterdam, the judicatory of the Church of Holland, under which stood the church at Albany, as did all those in the former New Netherland provinces (*i.e.*, New York and New Jersey). Of this "Defense" four pages were discovered by John Romeyn Brodhead, when on his quest after "Documents relating to the Colonial History of the State of New York," in Holland, in 1841 to 1843. The rest could not be found, or at least were not transcribed by him. The latter and longer portion (eight pages of closely written manuscript) was found by the Rev. Dr. Corwin, historiographer of the Reformed Dutch Church in America, among the archives of the Classis of Amsterdam, in the summer of 1897. It is from the transcription of this "lost" portion that the present writer has been enabled to cull this extremely interesting picture of life in the colonial days two hundred years ago. If the picture has rather a somber or sinister setting, it only enhances the intimate view of individual intercourse, of which we get so little amid the rumble of battle or the clamor of quarreling kings and cabinets, which makes up so much of what men call "history."

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